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HANSARD'S

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THIRD SERIES,

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

11° & 12° VICTORIÆ, 1847-1848.

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THE TENTH DAY OF AUGUST

TO

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Seventh and last Volume of the Session.

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1848.

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HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

FIRST SESSION OF THE *FIFTEENTH PARLIAMENT* OF THE UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*, APPOINTED TO MEET 21 SEPTEMBER, 1847, AND FROM THENCE CONTINUED TILL 18 NOVEMBER, 1847, IN THE ELEVENTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

SEVENTH AND LAST VOLUME OF THE SESSION.

HOUSE OF LORDS,

Thursday, August 10, 1848.

MINUTES.] PUBLIC BILLS.—1ª London (City) Small Debts; Proclamations on Fines (Court of Common Pleas); Churches; Poor Law Union Charges (No. 2).
2ª Unlawful Oaths Acts (Ireland), (Continuance and Amendment); Ecclesiastical Jurisdiction; Loan Societies; Highway Rates.
Reported.—Trustees Relief.
3ª and passed:—Rum Duties; Land Tax Commissioners Names; Windsor Castle and Town Approaches Improvement; Juvenile Offenders (Ireland); Charity Trust Regulation; Naval Medical Supplemental Fund Society.

EMIGRATION TO AUSTRALIA.

EARL GREY:* My Lords, pursuant to the notice which I have given, I beg to lay on the table certain papers connected with emigration to the Australian colonies, in continuation of those which, at an early period of the Session, I had the honour of presenting to Parliament by command of Her Majesty. In laying these papers on the table, I trust that the interest which is now so generally felt on the subject of emigration, will be a sufficient excuse for my briefly stating some of the principal facts which are to be collected from these papers, and from those which have been already presented; and will also justify me in making a very few remarks upon them. Without attempting to discuss the question whether there really is in this country that excess of population which is supposed by some persons to exist, or whether there are still means in its undeveloped resources of affording employment to our increasing population, I think, at all events, that even those who hold the strongest opinions as to the excess of population in this country, must agree with me that, when we compare the cost of emigration to Australia with the number of persons who now go annually from our shores, it is hardly possible to expect that emigration to that quarter can ever be carried to such an extent as to produce any very perceptible effect upon our population here. The cost of conveying an emigrant to Australia may be taken, in round numbers, at somewhere about 20*l.*, including the passage of the emigrant, and the expensive outfit which is necessary for his health. And if the present number of emigrants were to be materially increased, this cost would be augmented, as the rate of freight which is now paid would undoubtedly rise if many more ships were wanted for this service.

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* From a corrected report published by Ridgway.

But the average number of emigrants who left this country during the last seven years has been no less than 122,000; and in the last year the number of emigrants was not less than 258,000. If, then, this great stream of emigration were to be increased by sending to Australia a number of persons equal even to the average emigration of the last seven years, or 122,000 persons a year, the annual expense of this addition to the existing emigration would not amount to less than 2,500,000*l.* Now, when your Lordships remember that even the large emigration of last year, together with the great mortality from famine and disease that took place in Ireland, have failed to produce any marked effect on those symptoms of excessive population which are alleged to exist, it is obviously impossible, looking to our Australian colonies, that any such great number of emigrants can be sent thither as would exercise any perceptible influence upon the population at home. But although this is the case, it is not the less true that Australian emigration is of the greatest possible advantage to the empire in general, as affording a field of enterprise to the more ardent spirits of the mother country, who, in the present peaceful times, cannot find a suitable career at home; and, also, as creating and increasing thriving communities in that part of the world, with which our manufacturers carry on a large and lucrative trade. Our trade with the Australian colonies is one of the most important we possess. The labouring population, whom we send out to Australia, are chiefly employed in producing raw materials, which we use in our manufactures, and especially in that very important department of them, the woollen trade. In return for their produce they take British manufactures, and in the same manner they pay indirectly for various commodities, and more particularly for the tea and sugar which they consume, thus creating an additional trade between this country and China, since it is well known that the consumption of British manufactures in China is limited only by the means of payment which the Chinese possess, and that the very large quantity of tea consumed in Australia, is paid for by British manufactures, for which the return is received by us principally in wool. The consequence is, that those who go to Australia do undoubtedly contribute largely to furnish additional employment for our people at home. The emigration to these distant colonies is also of very great service in affording additional employment to our shipping. It is, therefore, an object of the greatest interest to the empire that emigration to Australia should be promoted and encouraged to the utmost possible extent.

Viewed in this light, and as the means of obtaining the advantages I have now described, rather than of effecting a great diminution of a population supposed to be excessive, emigration to Australia is a subject which, during the last twenty years, has certainly not been neglected by any of the successive Administrations which have in that time existed. It seems to me that, in the eagerness to extend emigration—a feeling which I share—many persons overlook how much has been accomplished; and I am, therefore, anxious to call your Lordships' attention to a comparison of what our Australian colonies were in the year 1828, with what they are at the present time. In looking back to this comparatively short period of only twenty years, it is really not a little surprising to see how great a change has been effected by the enterprise, the activity, and the energy of the people of this country, settling in those distant regions. In the year 1828, the only colonies we occupied in that quarter of the globe, were New South Wales, and Van Diemen's Land. New South Wales was then confined to what were called the Nineteen Counties. These counties occupied an extent of about 300 miles in length, along the coast, with an average breadth of about 200 miles. In Van Diemen's Land, the extent of our settlements was very small. The whole population of both these colonies, in 1828, was estimated at 53,000, of whom 23,000 were convicts, still in a state of servitude; a very large proportion of the free inhabitants having originally proceeded to the colonies as convicts. New South Wales, including Moreton Bay and Port Philip, now extends 1,000 miles in length, by 300 miles in breadth. Much of this territory is occupied only pastorally; but still it is occupied, and advantageously, the whole area it includes being about three and a half times as large as the area of Great Britain. The coast line from Moreton Bay to South Australia, is 1,500 miles long, being about the length of the coast line from Calais to the northern frontier of Portugal. In Southern and Western Australia, and the valuable islands of New Zealand, entirely new and most of them thriving settlements have been formed; and in Van Diemen's Land, the population has greatly increased. The whole British population, (excluding, of course, the natives,) or, rather, the whole population of European origin, in the different Australian Colonies, now amounts to near 300,000 persons. But, while in the space of twenty years the population has increased five or six-fold, the wealth of these colonies has increased still more rapidly. The best test I can apply to ascertain the wealth of a rising colony, is the amount of its exports; we can judge less by the imports, because a considerable importation into a colony may be occasioned by a large expenditure by the Government of the mother country, whereas the exports must be created by the successful industry of the colonists. I find that in 1828, the whole amount of exports from these colonies was 185,000*l.*; and in 1845, the last year for which the returns are complete, the exports had risen to 2,189,000*l.*; being an increase of twelve-fold in seventeen years. This is a striking result; but it will be still more so if your Lordships will permit me to go a little further into particulars.

In the year 1830, when I first knew anything officially about these colonies, no facilities whatever existed for the emigration of the labouring classes to New South Wales. The ships which went there afforded accommodation only for cabin passengers, or for those who required what are now called intermediate passages. The expense of emigration to Australia, with the description of accommodation which was at that time alone provided, was much larger than could be afforded by a labouring man; so that, practically, there were no means of emigration for that class of society. In the course of the year 1830, my noble Friend, Lord Ripon, who was then Secretary of State for the Colonies, established the system of alienating the Crown lands by sale only, instead of by grants, as had previously been the practice in Australia; and at the same time the principle was laid down that the revenue realised by the sale of land should be applied in carrying out emigrants to the colonies. A Commission was appointed, over which my noble Friend the Duke of Richmond presided, and of which I had the honour of being also a Member, to inquire into the best means of promoting emigration. The first measure of that Commission was, to endeavour to prevail upon shipowners to furnish passages to Australia at a cheaper rate, and with humbler accommodation, suitable to the means of the labouring class. They consented to make this experiment, and the system then began; but the funds applicable to emigration were at that time exceedingly small; and for the first few years the progress of emigration thus carried on was so slow that it seemed little likely to become of much consequence. But the measure itself being founded on a sound principle, its operation gradually increased, until the results became very important. In 1837, the extent of emigration had so far increased, that my noble Friend, Lord Glenelg, who then held the office of Secretary of State for the Colonies, appointed a separate office for the management of that business; and hence the origin of the Land and Emigration Commission; and in creating that board, and in the selection of those whom he named for that important duty, I consider that my noble Friend adopted a measure of incalculable importance and benefit, both to this country and to the colonies.

At that time the population of New South Wales was only 77,000*l.*; but in the course of ten years the population was almost doubled, emigration having added to it no less than 62,000 persons. Those persons were sent out under the superintendence of the Commissioners, and the greatest possible advantage has been the result of that course of proceeding. During the same period, the Commissioners for South Australia sent to that colony about 10,000 persons; the New Zealand Company also sent out about 7,000 persons; altogether, in the course of those ten years, there were sent between 90,000 and 100,000 emigrants, of whom no less than 80,000 were provided with a passage out of the sums derived from the sale of the colonial lands. After this statement of the general result of the working of the system, I will now advert, for a moment, to the cases of one or two individual settlements, by which the result of the system will appear still more remarkable. The importance of the district of Port Philip, in the territory still forming part of New South Wales, and the colony of South Australia, were the creation of a period not exceeding ten years. In 1836, ten years prior to the date of the last census, there were in Port Philip only a few scattered inhabitants, estimated to number between 200 and 300. In March, 1846, when that census was made, the population of this district was found to have increased to 32,800, including the town of Melbourne, which then contained a population of between 8,000 and 10,000 inhabitants. The imports into that district, in 1845, were to the value of 205,000*l.*; and the exports to the value of 343,000*l.*; the general revenue of the district, in 1847, was no less than 68,000*l.*; and the territorial revenue, derived principally from the sale of land, was 70,000*l.*; making altogether a revenue of 138,000*l.* collected in this district, which only ten or twelve years ago had been occupied by 200 or 300 persons.

In South Australia the results have been almost equally remarkable. But I will not trouble your Lordships with the arithmetical details, as they will be found in the evidence taken before the Colonisation Committee, and in the papers I am about to lay on the table. It is, however, important to observe, that in the Port Philip district, this now thriving community, has been established without one shilling of expense to the mother country; and even South Australia, although it has had temporary difficulties to encounter, and though unintentional errors were committed in its earlier days, and it has cost, in consequence, comparatively a considerable sum, yet from the time its management was taken out of the hands of the Commissioners, to whom it was originally entrusted, in order that it might be placed directly under the charge of the Government, it has emerged from its difficulties, and has continued steadily to advance in prosperity, till a large revenue has been obtained, more than equal to its expenditure, and funds have been realised, applicable to the conveyance thither of a very considerable number of emigrants. Neither can it be said that this success of South Australia is owing to the great mineral wealth which has been discovered there; because the difficulties of the colony, which were at their height in 1840, had, in 1845, been completely overcome, and it was steadily advancing in prosperity before the mines had been opened to an extent of any importance.

My Lords, I think it is also of importance that I should remark, in order to correct a very prevalent error, that it is entirely a mistake to suppose that these colonies have been formed by merely one class of society, or by the emigration of labourers only. So far is this from being the case, that there are to be found settled in these colonies, retired officers of the Army and Navy—gentlemen who have taken high degrees and honours at the Universities, and many other persons of education and intelligence. Indeed, both in South Australia, and in New South Wales, there is a very large population of men of superior education and intelligence. I must therefore say, that looking at these facts, it is impossible to admit the truth of what has been sometimes very confidently asserted—that colonisation is a lost art. On the contrary, I believe that colonisation never has, in the history of the world, made such rapid progress as in the instances I have stated to your Lordships. I would remind your Lordships of the very interesting evidence given last year by Mr. Elliot, then at the head of the Emigration Board, in which capacity I believe most of your Lordships are aware how valuable were his services, and who has now duties of still greater importance, which he performs with equal ability, as Assistant Under Secretary of State for the Colonial Department: Mr. Elliot, in the evidence to which I refer, drew a comparison between the progress made by our Australian colonies, and the old colonies which now constitute the United States of America. The comparison is most curious, and singularly favourable to our new colonies. The rate of progress of the Australian colonies, as compared with that of our old American colonies, is really marvellous.

For example, I find that the population of Sydney in 1836 was 19,000; that in ten years the population had actually doubled, and in 1846 was 38,000. Comparing this with the old American colonies, I find that the population of the important town of Boston, in 1790 (170 years after its foundation), was 18,000. The population of the city of New York, in 1773 (immediately before the breaking out of the war of independence), was only 21,896, having then been founded a very much longer period than Sydney has now, but containing a population 17,000 less than Sydney does at the present day. The population of Philadelphia in 1790 was 28,528. But what is still more remarkable, is the wealth of our present colonies, and the advantage which they have been to the trade of this country, as compared with the wealth and trade of our old American colonies at the time of the breaking out of the war. The whole population of our old American colonies, in 1773, was about 2,300,000; and the population of the Australian colonies in 1845, was only 283,873. Yet the imports of all descriptions into our old American colonies in 1773, amounted to something more than 1,000,000*l.* sterling: while the imports into our Australian colonies in 1845, amounted to 2,070,000*l.* The exports from our old American colonies, in 1773, amounted to something short of 2,000,000*l.*, while the exports from our Australian colonies, in 1845, were 2,185,000*l.* Or, if we contrast the comparative extent of the trade of the two classes of colonies according to its value, per head, of their respective populations, it appears that the imports, per head, into the old American colonies, at the breaking out of the war, were to the amount of 8*s.* 9*d.* per head of their then population; while the imports of our Australian colonies are at the rate of 7*l.* 5*s.* 10*d.* per head. The exports from America, at the breaking out of the war, were at the rate of 16*s.* 8*d.* per head of the population; and the exports from the Australian colonies are at the rate of 7*l.* 14*s.* 3*d.* per head.

Such has been the extraordinary progress of these colonies; and I think your Lordships will agree with me, that these facts sufficiently refute the common notion that the art of colonisation is a lost one; that the population of this country are less enterprising and adventurous than the population of former days; and that they are less capable of carrying on such enterprises with advantage. On the contrary, if your Lordships consider the progress of these colonies—a progress almost without a check—and their steady, uniform current of prosperity, without the interruption of any great disaster, and contrast their history with the extreme difficulties and fearful calamities which, in earlier days, were experienced by the old American colonies, the result is, indeed, most remarkable—a result, I beg to repeat, which is owing entirely to the enterprising and persevering spirit of the population of this country, aided, as they have been, by all the improvements of modern science, and of modern navigation. And when, above all, your Lordships consider the length and the difficulties of the voyage to Australia, as compared with the passage to North America, the result becomes still more striking. But, great as this progress has been, I am far from saying it is not the duty of Parliament, and of the Government, to use all such means as are in their power for giving a still increased impetus to this system of emigration; and I wish to show your Lordships that this has not been overlooked. In 1845, for want of funds, emigration to Australia was very nearly suspended. But in 1846, the revenues of South Australia were again in a condition to allow of emigration to be renewed; and in that year about 2,000 persons were sent to that colony. Since then, the stream of emigration to South Australia has steadily and constantly been flowing. Last year, the Governor of New South Wales reported that the debt which had been incurred for previous emigration, and charged upon the Crown revenues, was nearly paid off; and he believed that he might safely venture to recommend the resumption of emigration to that colony also. I had full confidence in the reasons assigned by Sir Charles Fitzroy in support of that opinion, and I accordingly directed the Land and Emigration Commissioners immediately to resume sending emigrants to New South Wales; and towards the close of last year, the first ships of the renewed emigration to New South Wales were despatched. The first ship sailed about the month of October or November last. Since then successive accounts from New South Wales have arrived, showing that the funds applicable for this purpose have more than kept pace with the expectations entertained respecting them; and accordingly I have given directions, from time to time, to the Land and Emigration Commissioners, to accelerate the rate at which ships were despatched, and in pursuance of those directions the number of emigrants has been rapidly increasing in amount. By a return which I hold in my hand, of the operations of the Commissioners in each month (with the details of which I will not trouble your Lordships) it appears, that in the present year there have already sailed to New South Wales twenty-three emigrant ships, carrying 5,323 emigrants; and that there have sailed eleven emigrant ships to South Australia, carrying 2,736 emigrants, making a total of 8,059 persons sent out this year. For the remainder of this year, ships are to be despatched at the increased rate of six in every month to South Wales, and a proportionate number to South Australia; and it is calculated that the number that will be sent out from this time to the close of the present year will be forty ships carrying 10,000 persons. So that since the close of the year 1847, by the measures that are now actually in progress, there will be added in the course of the present year, to the population of these two colonies, of New South Wales and South Australia, not less than 18,059 persons, which will be an increase of between 8 and 9 per cent upon their whole previous population. In South Australia, the population at the commencement of 1846, was 22,390. There have since been already despatched to that colony by the Land and Emigration Commissioners, nearly 8,000 emigrants, or more than one-third of the then existing population. In New South Wales, according to a report dated September 1847, of a Committee of the Legislative Council, the number of hired servants throughout the colony did not exceed 30,000; but the number of emigrants to be despatched in 1848 will be nearly 13,000.

So much as to the extent to which emigration has been carried on. I now wish to call the attention of your Lordships to the manner in which this service has been performed by the Land and Emigration Commissioners, and to the satisfactory results which have been obtained by the zeal and ability they have shown in the discharge of their arduous duties. I hold in my hand a paper, being an inclosure in a recent despatch received from the Governor of South Australia. It is a report of the Colonial Secretary in South Australia to the Governor of that colony, with respect to the condition of the emigrants. The Secretary says—

> "The healthy condition in which the immigrants were landed from the several vessels which have arrived in this colony, during the past quarter, and the total absence of any complaints, either from the passengers, or on the part of those under whose direction they were placed during the voyage, are facts which of themselves speak most favourably for the arrangements made in England, in connexion with this service. The emigrants were generally well selected, and suited to the wants of this country. The superintendents appear, without exception, faithfully to have discharged the duties entrusted to them; and although some few alterations in the minor details of the arrangements have been recommended by them in their daily journals, still the circumstances abovementioned, concurring as they do to show the efficiency of the measures adopted to promote the varied interests at stake, cannot but be satisfactory to the Commissioners, on whom so much responsibility is devolved. The vessels employed in the emigration service make quicker passages than those engaged only in the conveyance of merchandise."

I should explain, that these quick passages are accounted for, by the fact, that none but first-class vessels are taken up for this service; and that from the number of emigrants on board, the captains are enabled to carry on sail in doubtful weather much longer than merchant vessels, because by the assistance of the emigrants they can reduce sail when bad weather is coming on, more rapidly than ships which cannot command equal strength. The report then goes on to say, that—

> "Of those vessels which arrived in the colony during the last three months, the longest on the voyage was 106, the shortest 89 days, making an average in the whole of 94½ days. It may not be foreign to the present report here to remark, that the young unmarried females who immigrate to this colony, without friends or relations on board, are, on their arrival here, at once removed from on board the vessels in which they were brought, to a house in Adelaide, where every necessary comfort is in readiness for their reception. They are placed under the immediate control of a matron, and a committee of ladies have benevolently undertaken to assist them in finding suitable employment."*

I will now proceed to state to your Lordships some of the measures which have been adopted for increasing and extending emigration to these colonies. In the first place, I must remark, that the expense must be mainly provided for by the colonies themselves. The voyage is so much longer and so much more expensive than the voyage to America, that unless the colonies should pay a very large portion of the expense, the emigrants would in nearly all cases prefer going to America; either to our own colonies there, or to the United States. But a considerable proportion of the expense is actually paid from private sources in this country. For so long a voyage, being about three months to South Australia, and somewhat more to New South Wales, it is absolutely necessary for emigrants to have what may be considered a very expensive outfit, more especially as they require clothes suitable both for cold and very hot weather, as they are necessarily exposed to great vicissitudes of climate, at whatever time of the year they may go. This necessary outfit is an expense of importance to a labouring man, and is calculated, with the expense of going to the port of embarkation and other charges, altogether to cost the emigrant somewhere about *5l.*; certainly not a less sum; and I believe this amount rather exceeds that for which emigrants can obtain their passage to America. Of course, therefore, if a much greater sum than this were demanded of them, the current of emigration would be diverted from Australia, and directed towards America. The instructions which I have given to the Land and Emigration Commissioners on this head are these:—that they are to consider themselves in the light of trustees for the colonies; and that their object should be to make the money raised by the sale of land, and applicable to emigration, productive of the largest amount of benefit it is possible to render to the colonies. In consequence of this view of their duty, they are instructed to watch carefully the demands for passages to Australia, and, whenever they find they can do so with advantage, they are to raise the amount which is to be contributed by individuals themselves. But the demand for passages from the class of individuals most suited to the wants of the colonies varies very much. Only about a year ago, up to the last harvest, before employment on railways had been checked in this country, there was some difficulty in obtaining the full number of properly qualified emigrants, in the proper proportions, from different parts of the united kingdom, for Australia. But now, on the contrary, from the unfortunate depression of trade, and the diminution of employment, there is a great demand for passages to Australia. In consequence of this demand, the agents of the Land and Emigration Commissioners have thought they might venture, as an experiment (though with some doubt as to whether it will succeed), to require an additional pound to be contributed by the emigrants themselves towards the cost of their passage; thus making, to that extent, the amount available from the colonies sufficient for carrying out a larger number of emigrants.

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* Vide Parliamentary Paper, August, 1848, Emigration to the Australian Colonies, p. 78.

In some cases, larger contributions are raised from individuals, owing to peculiar circumstances, when, for instance, a person applies for a passage who is not strictly qualified to be an emigrant, according to the rules, as not being of the class best adapted to the wants of the colonies, the Commissioners have been directed, in consideration of an additional payment, from some other source than the funds at their disposal, to accept an emigrant who would not otherwise have been taken. I may mention to your Lordships a recent instance—an instance, indeed, which is stated in the papers that I have just laid upon the table. In consequence of the late revolution in France, a large number of English workmen, as your Lordships are aware, were compelled to leave that country. Those were persons principally engaged in manufactures, and were not used to agricultural labour. They were, therefore, not considered the most eligible class for emigration. But it being doubtful whether they would be able to obtain employment at home, and as they were anxious to proceed to the colonies, I was willing to afford them every facility for doing so. After consulting with Lord Ashley on the subject, who greatly interested himself in this matter, as in every other plan of benevolence, it was at last arranged, that by private subscription a sum equal to *4l.* a head should be contributed towards the expense of the adults, and the sum of *2l.* for each child; and upon that condition they were sent out to the colonies. I have reason to believe they will prove a most valuable class of emigrants. There was no mode in which the same amount of private subscriptions could have been applied so as to give the same extent of relief to the individuals; whilst, on the other hand, the colonies have received, at a considerable reduction of the ordinary cost to them, a number of persons who, though not used to agriculture, will be an industrious and active body of inhabitants. Other arrangements, of a similar description, have been made, with which I will not trouble your Lordships, as they will be found fully detailed in the papers. But I will call your Lordships' attention to another measure which has been adopted, and from which I feel inclined to expect very valuable results. Those who have attended to the subject of emigration, may be aware that emigration to a very great extent takes place to Canada and the United States, more especially from Ireland, a large portion of which is provided for by means of funds remitted from America to their friends in this country and in Ireland, by those who have gone out before. It is very frequently arranged, that one or two individuals of a family should go out, in the first instance, to the United

States or to Canada, and that having saved some money there, they should remit it home for the purpose of affording their relations whom they have left behind, the means of joining them on the other side of the Atlantic.

This is an emigration of the very best description, because the emigrants find their own friends upon their arrival, who are ready to direct their energies, and the recollection of whose kindness, and the goodness of whose example, at once stimulate them to industry, that they may repay the money thus advanced, and be able, in their turn, to give assistance to the friends and relations whom they have left behind. Now, from Canada and the United States, there exist great facilities for making these remittances, through private channels; but from Australia no such facilities exist. I have accordingly entered into an arrangement with the Treasury for the purpose of affording these facilities; and, by that arrangement, it will now be in the power of any settler in Australia, by paying money, through agents who are to be appointed for that purpose in the different districts, to the commissariat officer in the colony, to have it remitted to this country, and applied by the Land and Emigration Commissioners, in sending out any person or persons in whose favour the money may have been deposited, and the remittance made. I anticipate from this arrangement the most satisfactory results, because wages in Australia being much higher than in Canada, continuing during the whole year, without the drawback of a long winter of almost arctic severity, when labour is to a great degree suspended, the means of accumulation are much greater in the former than in the latter. Hence, considering how large a sum is annually remitted from America, I indulge the hope that these facilities will soon be made use of to a large extent. I am even willing to believe that parties of working men in this country will club together, to enable one or two of their number to emigrate, in the first instance, under an agreement that those who do should afterwards remit back money to assist their friends in joining them. Such, my Lords, is the general statement I am able to make of what has been done, and of the measures which are in progress to stimulate and promote emigration to the Australian colonies. I will not at present trouble your Lordships with further details; nor will I do more than merely advert to the promising field for emigration which is offered by New Zealand and the Cape; because, with respect to those two colonies, nothing of sufficient importance to be detailed to your Lordships has of late been effected. I will, therefore, only say that in these colonies there does, in my opinion, exist a most valuable field for emigration; and from the measures that are now in progress, or in contemplation, I have the most sanguine hopes that both to New Zealand and to the Cape a very large number of emigrants will ultimately proceed.

Upon the whole subject, I will in conclusion observe, that what has been done may, no doubt, fall very short of the sanguine expectations of many persons as to what is to be attained by emigration; at the same time I think the measures I have mentioned, and their results, are of very considerable importance. The amount of expenditure incurred is already very large. In the present year 18,000 persons, at an expense considerably exceeding a quarter of a million sterling, will be sent to New South Wales and South Australia. The effect of this large emigration one year will be to make a still larger emigration in the following years; because nothing is more clearly ascertained than that those who go out as labourers to these thriving colonies, in the course of a very short time, become themselves employers of labour and purchasers of land, thus adding both to the funds available for carrying on emigration, and also to the means of giving employment to future emigrants.

I confine these observations to the Australian colonies, because the papers which I have now to lay upon the table chiefly refer to those colonies, and also, because emigration to our American colonies must be considered, in many respects, in a different light, so that very different measures are applicable to them. Emigration to North America is, I am aware, in some respects, more important than emigration to Australia; much more so as affording relief, by effecting a diminution of the population in those parts of the united kingdom where there exists a local excess. In that respect, undoubtedly, North American emigration affords far more valuable resources than emigration to Australia. But feeling that I could not now, with advantage, enter upon the discussion of so large a subject, I will, for the present, content myself with assuring your Lordships that, with regard to North America, the continued and anxious attention, both of Her Majesty's Government, and of the provincial authorities, is directed towards devising the means which can be adopted with most success, in order to promote emigration to that quarter, and to facilitate the settlement of the wide regions of fertile land which the British empire possesses in that part of the world.

I am certainly sanguine in the expectation that hereafter it will be in my power to show your Lordships what practical measures have been adopted to promote those objects. For the present, hewever, I confine my observations to Australia. I have now to lay before your Lordships these papers; and the extreme interest of the subject, not only to this country, but to the colonies in general, and particularly to the Australian colonies, which at this moment are making such rapid progress, must be my excuse for having so long occupied the attention of your Lordships. Before I sit down, however, I must supply an omission, which, I perceive, I have made, by stating (as I had intended to have done an earlier period) one fact, as it seems to me, of great interest, which I have learned only within the last few days, from a document which did not arrive in time to be included among the papers I am about to present—a fact, which seems to me almost more striking than anything I have yet mentioned, as showing the rapid progress of these colonies. I hold in my hand a copy of the speech of Sir Charles Fitzroy, addressed to the Legislative Council of New South Wales, at the opening of the session on the 24th of March in the present year. In this speech there is the following statement, with reference to the increased production of wool in New South Wales. He says—

> "It is consolatory to reflect that, notwithstanding the commercial depression which prevails to so great an extent in the mother country, and the consequent low prices of colonial produce in that market, the chief resources of this colony have continue to increase in a manner alike rapid and surprising. The exports of wool—its main staple—reached in the past year the large quantity of upwards of 22,000,000lb., of the official value of 1,260,000*l*., being an increase on the previous year exceeding 5,700,000lb. in weight, or equal to the whole export of that article in the year 1838."

I think this is indeed a remarkable increase in one year; the mere increase in the export of wool in 1847, as compared to 1846, being equal to the total export in 1838, or only nine years before. Sir C. Fitzroy goes on to say—

> "The export of tallow in 1847 was 69,000 cwt., of the official value of 107,000*l*., being an increase on the previous year of 49,000 cwt.

This also is another striking proof of the rapid increase which these colonies have been making in all that concerns their industrial and commercial interests; and the statement I have just read is well worthy your Lordships' earnest attention. With these observations I beg to lay the papers on your Lordships' table.

Lord MONTEAGLE said, that while he had heard from his noble Friend somewhat that was consolatory, as affirming the principles on which emigration should be conducted, principles which he (Lord Monteagle) had long advocated, he must confess that he had also heard with a disappointment, or he might even say with a dismay difficult for him to describe, the small promises, or rather the no promises at all, held out by his noble Friend with respect to the mode and extent to which he proposed to apply those principles. He also deeply regretted the very narrow conception which his noble Friend entertained of the duties attached to the office which he himself filled, and to the department over which he presided. He was persuaded that the word "dismay" was not too strong for the occasion, and that his feelings would be participated in by the great bulk of the people of this country, who had turned their attention to this subject. The question of emigration was now better understood, and was therefore more justly appreciated. The pressing necessity of the case could no longer be disguised from the public, but had become apparent to all—not only to the higher classes, who viewed it as a matter of political and philosophical interest, but to the lower classes, who had begun to feel how closely it was united to their material interests, and indeed he might say with their very existence. It had become of late too much the fashion of some reasoners to treat our colonial interests as a mere question of pounds, shillings, and pence. Into this mistake, however, his noble Friend was too well informed to fall. Yet, even if colonial policy were to be discussed on this narrower ground, it could easily be demonstrated how essential were our colonies to our national greatness. The following account would exhibit the rapid progress made by the colonial possessions of the Crown, even within the last five years:—

COLONIAL PROGRESS FROM 1842 TO 1847.

Colonies.	Population.		Imports into U. K. Official Value.		Declared value of Exports from U. K.		Shipping Inwards and Outwards.	
	1842.	1847.	1842.	1847.	1842.	1847.	1842.	1847.
			£	£	£	£	Tons.	Tons.
N. America .	1,621,000	1,993,000	1,391,000	2,188,000	2,280,000	3,490,000	...	...
W. Indies .	901,000	926,000	6,015,000	6,428,000	2,591,000	2,789,000	...	...
Other Colonies	2,152,000	2,570,000	3,087,000	13,077,000	3,198,000	9,984,000	...	...
Total . . .	4,674,000	5,490,000	10,495,000	21,694,009	8,070,000	16,263,000	1,771,000	2,990,000

NOTE.—The *totals* include the broken sums omitted in the detached account.

These facts had been pressed upon his consideration by the functions he had been called on to perform as Chairman of one of their Lordships' Committees. He had devoted his best attention during the last two years to the Committee on Emigration which their Lordships had been pleased to appoint. Of the report of that Committee he regarded the speech of his noble Friend as being in some degree, and in somewhat an unusual manner, an attempted anticipation. He considered, therefore, that his noble Friend, by the course he had taken, had compelled him to enter into the question more fully than he would otherwise have done. It was right that the public should know that there were at least some persons who believed that there existed means of doing more than those nothings which his noble Friend the Colonial Secretary had announced as the scope and end of his policy. Great as would have been his regret at so miserable an announcement if coming from any ordinary statesman, his disappointment was greater still when these shortcomings were attributable to his noble Friend. He had thought that his noble Friend would have been the very last man to have discusssed the question of emigration as one which only involved the case of a few vessels freighted with emigrants, instead of treating it as a great and comprehensive measure alike essential to colonial interests, and to the prosperity of the mother country. If ever there was an individual who might have been considered as pledged to take up the question of colonisation on a large and comprehensive scale, the noble Lord was assuredly that individual. He could not forget that this question was the very first that had been taken up by his noble Friend on entering into official life under the Administration of his noble Father. When the Commission over which the Duke of Richmond presided was appointed, in 1831, his noble Friend recommended the question of emigration to the consideration of Parliament, not as the small and miserable scheme which now seemed to satisfy his desires, but as a large and comprehensive measure; and in order to show the views which the noble Lord then entertained on the subject, more especially in its application to Ireland, he would trouble their Lordships with an extract from the speech he delivered on that occasion:—

> "Before any measure could be introduced for the permanent relief of the poor in Ireland, it would be absolutely necessary to relieve that country from its superabundance of population. The transfer of a part of our superabundant labourers to the colonies would be equally beneficial to all parties—to the labourers, by diminishing the overwhelming competition under which they now suffer; to the settler, by affording him the means of cultivating his land; and both to this country and the colony, by relieving much of the distress now existing in the former, and by adding to the productive industry of the latter."

His noble Friend had not been as timid and limited in his views in former, he might say in better times, as he now unfortunately appeared to be. On the contrary, he was then as full of hope, as of energy. He did not shrink from assuring Parliament that—

> "In the United States, Canada, and Australia, there were large tracts of land available which enabled the labourer emigrating to them, for a payment next to nothing, to obtain the means of earning a subsistence, while in this country the labourer possessed no such facilities."

Such were his noble Friend's opinions in 1845, confirming those he expressed in 1831; and in the debate on Mr. C. Buller's Motion he went on to state—

> "His opinion was strongly fixed that we were, it was true, on the right road, but that we had not made all the progress that was desirable. He thought it of the greatest importance that emigration should be encouraged to a much greater extent than at present, and he believed it was in the power of Her Majesty's Ministers to take measures that would give much greater extension to the system than it now possessed."

He would ask their Lordships, was there in the scheme now proposed by his noble Friend any thing like an approach to the systematic and enlarged plan of emigration which the noble Earl had there foreshadowed? But though nothing effectual had been done, or had even been attempted, the noble Lord, even amidst the sufferings attendant on last year's emigration, had still repeated his belief in the true faith, which he seemed disposed this night to forswear. In his despatch of the 29th January, he informs the Governor of Canada, Lord Elgin—

> "I will not abandon the hope that hereafter the practical difficulties which stand in the way may be overcome, and means may be discovered for accomplishing that more systematic colonisation of the still unoccupied territory of British North America, by which I am persuaded that the welfare of emigrants would be best assured, and the prosperity of these fine colonies would be carried to a far higher point than it can otherwise attain."

But it is not merely by speeches and despatches that my noble Friend has committed himself on this subject. He has given still stronger pledges—pledges from which, even with all his intrepidity, he cannot extricate himself. His noble Friend could not deny the engagements he had entered into, in the name of his Sovereign, and had entered into in the Queen's name with Parliament itself. Perhaps his defence might be an admission of the incompetency of the Colonial Office to perform those engagements. For this argument, he could not deny that his noble Friend had laid some ground. If this were so, the engagement should not have been made. He recollected well an important debate in the year 1845, in the other House of Parliament, in the course of which his noble Friend began his speech by stating that—

> "From some experience which he had of the Colonial Office, he had come to the conclusion that it was impossible for any man, let his talents be what they might, to administer the British colonies efficiently, scattered as they were over every part of the world."

Will a renewal of these statements be his noble Friend's justification, and will he appeal to his own experience and example as Secretary of State, to confirm the evidence he gave as a Member of the Opposition? But he would now proceed to substantiate the serious charge which he deliberately made against his noble Friend—a charge no less than that of having left unfulfilled the engagement entered into with the House of Commons in the last Session. On the 1st of June, 1847, as he perceived from the Votes of the House of Commons, an Address to Her Majesty was unanimously adopted—

> "Praying that Her Majesty will take into Her most gracious consideration the means by which colonisation may be made subsidiary to other measures for the improvement of the social condition of Ireland; and by which, consistently with full regard to the interests of the colonies themselves, the comfort and prosperity of those who emigrate may be effectually promoted."

On that occasion it had been distinctly promised, on the part of the Government, that a special inquiry should take place, not into the expediency of colonisation—for that was conceded—but upon the means of carrying colonisation into effect. All that was then at issue was whether such inquiry was to be carried on through the agency of a Parliamentary Commission. Her Majesty's reply to that address was as follows:—

> "I have taken into my consideration the Address of my faithful Commons. I am deeply sensible of the advantage which may be derived from the adoption of further measures for the promotion of colonisation, and I will direct such inquiries to be made as may enable Parliament to adopt a course free from those evils which any precipitate legislation on this subject might cause both to the emigrants and to the colonies."

Such was the engagement solemnly entered into by the Government and the Crown with the House of Commons; and he would now ask his noble Friend whether any one step had been taken by Her Majesty's Government in pursuance of the promise there given? What "inquiries" had been made to guide Parliament in considering "those further measures of colonisation" of the advantages of which Her Majesty declared herself "deeply sensible?" No such inquiries appear to have been made to any one governor—at least he could not trace them in the papers on the table. If his noble Friend could contradict him, he would then ask him why did he not produce his despatches? If the noble Earl had any despatches on this subject to produce, he ought to have laid them before the House—but he had not done so. He had either withheld information which Parliament had a right to have laid before them, or his compact with the House of Commons was broken. Until that information were given, he (Lord Monteagle) had a right to say, and he now, therefore, asserted, in his place in Parliament, that the Government had entered into an engagement, ratified by the reply of Her Majesty, pledging the word of the Sovereign that a special inquiry should be made for the purpose of procuring information, and yet, that so far as Parliament was informed, no inquiry whatever had been made in pursuance of that promise. Or, if the noble Lord preferred the other alternative, and if the promised inquiries had been made, he (Lord Monteagle) called on the Minister who had engaged to procure this information for Parliament, to justify himself for having withheld all information on the subject up to the present hour. This was a serious charge, and ought to be seriously met. The conduct of the Colonial Office on this subject, he confessed, created great mistrust in his mind, because it showed that speeches might be made and Motions might be acquiesced in for the purpose of escaping an inconvenient discussion, and averting an impending defeat—but with an intention of escaping from those obligations which ought to have imposed a sense of the promise made on a well-regulated mind impressed with a due feeling of moral and political responsibility. His noble Friend had sedulously, and for his purposes prudently too, abstained from alluding to the question of emigration to the North American colonies. If their Lordships inferred from that silence that nothing had been done with regard to emigration to these colonies, they would be greatly in error. Something had been done in that matter; but most unfortunately that something was only calculated to obstruct and to check emigration to British North America. This had been done, too, at the suggestion of his noble Friend himself, to the deep disappointment of those who had interested themselves on the subject. The present Secretary of State himself had done much to discourage emigration to a British colony; he had done nothing whatever to promote it. It was unfortunately too notorious that in consequence of the famine and disease prevalent in Ireland during the last year, the emigration from that country to British North America had been attended with very calamitous results. The mortality had been most formidable from certain ports. But this partial suffering proved that the case was exceptional only, and should have been dealt with as such. The colonists justly and naturally complained, in many cases, when the weak, and infirm, and sickly, had been sent over to them without adequate protection, and when fever had thus been propagated through all parts of the provinces. Now, he admitted that if the noble Earl had no other alternative but either to allow this state of suffering to continue, by permitting emigration to remain unassisted and unsystematic as before, or to interfere in the mode and to the extent he had done, such a state of facts would have furnished an unanswerable reply to whatever objection might be urged against him. But this supposition would be a most erroneous view to take of the case. It was right to do all that humanity and justice required; but to do more, and to convert such necessary measures of precaution into burdensome restraints, if not into actual prohibitions, of the emigration of British subjects into British colonies, was as impolitic as it was unjust; impolitic to the colony, unjust to the emigrant. He (Lord Monteagle) had himself willingly concurred with his noble Friend under this special, but, he believed, temporary, exigency, in the proposition made to Parliament for amending the Passengers' Act; nor would he have objected to the imposition of any moderate colonial tax, proved necessary for the support of sick and destitute emigrants on their arrival in the colony. But he considered that much more than this had been recommended by his noble Friend; and most unquestionably much more had been done by the colonial legislatures, greatly to their own loss and future detriment, as he would presently demonstrate. He held in his hand an account showing the scale of taxation which his noble Friend had recommended for adoption in the colony, and which he had accompanied with some very just remarks as to the necessity of confining this charge to a moderate rate. Nor did he omit adding some very intelligible hints, that if an unreasonable and exaggerated rate of taxation were imposed, the assent of the Crown might very possibly be withheld. Their Lordships would scarcely believe, under these circumstances, that the tax imposed by the colonists, and afterwards sanctioned by the Colonial Office, was actually double the amount that the noble Lord had himself recommended. The Chairman of the Emigration Commissioners had laid before the Committee above stairs the following table proving the fact:—

	As proposed by Lord Grey.	As enacted in the Colony.
	£ *s.* *d.*	£ *s.* *d.*
Tax on each Emigrant	0 5 0	0 10 0
Do. after Sept. 10......	0 10 0	1 0 0
Do. after Oct. 1	0 15 0	1 10 0
Do. when vessel is placed in Quarantine	10*s.* to 20*s.*	2*s.* 6*d.* every 3 days, not to exceed 20*s.*
Do. on Emigrants considered liable to become chargeable....	Security of £20 for one year, or 10*s.*	Security of £20 for one year, or 20*s.*

Thus it will be seen that these colonial imposts were more than twice the amount considered to be adequate by the Secretary of State. An extra charge, amounting to from 10*s.* to 20*s.* a head, on the number of emigrants proceeding to British North America is an enormous burden, and operates as a peculiar discouragement to emigration from Ireland. The increased charge, which a most intelligent writer (Mr. Carter) has stated to be about 1*l.* a head, tells much more heavily on ships from Ireland than on those from London, as the rate of passage from Ireland is much lower. On the Irish emigrant it is an increase of at least 20*s.* on 50*s.* or 60*s.*, whilst in London it is 20*s.* on 100*s.* Nor is there wanting proof that this most oppressive tax is wholly disproportioned to the necessity of the case. The United States, it may be assumed, are equally interested with our own colonies in guarding against the dangers of dangerous or unprofitable emigration. Fever and pauperism must be equally calamitous in the city of New York and in that of Quebec. Yet the taxation imposed by the foreign State, on aliens, is much lighter than the taxation for analogous purposes imposed by a British colony on British fellow-subjects. This surely is unjust. It is unwise also. The consequence has been, that by the adoption of the plan originating in the suggestion of the noble Earl, the tide of emigration is driven from the British colonies to the United States. This fact is apparent from a comparison of the following figures:—

Total Emigration from the United Kingdom for Three Months ending March 31.

Years.			No. of Emigrants.
1846	...	...	14,972
1847	...	...	38,347
1848	...	...	38,232

Total Emigration for the Month ending April 30.

1846	...	...	29,293
1847	...	...	53,348
1848	...	...	36,497

Total Emigration for the Month of May.

1846	...	...	21,334
1847	...	...	50,328
1848	...	...	28,281

It is on a closer analysis that the effect of the increased charge on emigrants into our own territory is made more apparent. The emigration to the British colonies for the months of April and May, in the same years, stands as follows:—

			No. of Emigrants.
April, 1846	...	...	14,422
„ 1847	...	...	30,631
„ 1848	...	...	8,980
May, 1846	...	...	7,760
„ 1847	...	...	31,188
„ 1848	...	...	3,866

Now, the United States Emigration for the same period exhibits wholly opposite results, and is as follows:—

April, 1846	...	...	14,278
„ 1847	...	...	22,202
„ 1848	...	...	25,705
May, 1846	...	...	13,254
„ 1847	...	...	18,029
„ 1848	...	...	22,672

The same facts are proved by the evidence of Mr. Carter, who stated that the number of emigrants conveyed in four of his own ships had fallen off, between the years 1847 and 1848, from 551 to 384; but he added—

> "In order to show the effect of the new law passed in England and Canada, it is necessary to state the number of emigrants in each ship separately. The first ship this year, before the new laws took effect, carried 198 passengers, as compared with 140 in the corresponding ship last year; while the three ships this year, to which the altered state of the law applied, averaged only 186, as compared with 411, by the corresponding ships in 1847."

The charge in New York, the same writer states, "has been recently reduced, whilst our own in Canada has been materially increased." Such was the effect of his noble Friend's interposition in relation to British North America; and it was not surprising, under such circumstances, that he judged it more prudent on the present occasion to eschew the subject altogether. He might here state that, in some material respects, both in the laws passed for the protection of the emigrants, and in the hospital accommodation provided at New York, that foreign State was in advance of our own colonies. Whilst thus increasing the difficulties of the emigration of British settlers to British colonies, he must admit that the noble Lord had shown himself more generous and more liberal to foreign emigrants. He would be able to show a most extraordinary, and, in his judgment, a most indefensible, step taken by the Colonial Office, in which, so far from imposing any new burden on foreign emigrants, colonial revenues were actually applied to assist the emigration of 400 Silesian emigrants to Port Philip. This most extraordinary fact is stated in the eighth report of the Emigration Commissioners (page 9), and would be almost incredible except on such conclusive authority. The Commissioners inform us that 31 applications had been made to import 119 German labourers and their families, being exclusively vine dressers, wine makers, and wine coopers; the rest of this immigration being assisted by a colonial bounty. To this measure no possible objection could be raised. With the existing prospects of a more extended cultivation of the grape, and a greatly improved manufacture of wine, this introduction of skilled labour was eminently politic. It rested likewise on the previously ascertained success of Mr. Macarthur's experiment. But the noble Lord has gone farther. The Commissioners add—

> "That they are also engaged in negotiating, under instructions from your Lordship, for the transmission to Port Philip of about 400 Silesian emigrants, containing a considerable portion of persons of the same classes, and on terms which we hope will prove advantageous to the colony."

Now, against this misapplication of Government aid, and of colonial resources, he (Lord Monteagle) would altogether protest. The notion of seeking vine cultivators in Silesia was an absurdity. He was happy to think that the "scheme," as it is justly called, is likely to fail. This failure—not, however, arising from the application by the Secretary of State of the obvious rule that would secure a preference to the subjects of Her Majesty over Silesians, or any other foreigners, but from the warlike propensities of that most aggressive monarch the King of Prussia, who, in order to carry on hostilities against his unoffending neighbours, had required the service of some of the intended emigrants in his newly-raised landwehr. He (Lord Monteagle) was the more astonished that this course should have been pursued by his noble Friend, because, in his correspondence with the Governor of the Cape of Good Hope—in reply to Sir Henry Pottinger, who had expressed wishes that German emigrants should be encouraged to proceed to the Cape—his noble Friend had laid down the principle absolutely that all the means of emigration at the disposal of Government should be exclusively reserved for the Queen's subjects. But he must be permitted to return to the question of British North America, from which he had been diverted by the question of Silesian emigration. In so doing, he must, once for all, guard himself against the supposition of being disposed to recommend, or to support, any plan of emigration which was not likely to promote colonial as well as European interests, and which was not in entire accordance with colonial feelings likewise. The North American colonists, he fully admitted, had to endure much suffering in the last year. But that suffering was entirely connected with the state of disease existing in particular districts, and at that particular time, and was not incidental to emigration generally. On the contrary, all former experience told the other way. What was the opinion of the Commissioners themselves? They inform the Secretary of State that—

> "At no earlier period of five years had so many people emigrated, as in the five years ending with 1846; and yet the whole of this emigration was effected healthily and prosperously. The deaths on the voyage did not exceed ½ per cent, or five in the 1,000; and the deaths in quarantine did not exceed 1½ on every 1,000 embarked. The people found no difficulty in getting employment, and were readily absorbed in the mass of the population.
>
> "The Government, therefore, at the commencement of the year 1847 were in possession of this fact, that in the preceding five years a greater number of persons had emigrated to North America than had ever done so before, and had emigrated under existing arrangements without sickness or serious difficulty or disaster."

And even the Canadian authorities, when suffering most severely from the fever of last year, guarded themselves carefully against the suspicion of seeking to throw any discouragement upon emigration generally. Such was the language of the legislature, of their municipal councils, and of the grand juries, who had expressed their views in the most unqualified manner. Therefore, while the Canadians condemned the ill-regulated and unsystematic emigration carried on from certain districts in Ireland, abounding in disease and propagating it, they did not, even in the time of their greatest suffering, condemn emigration generally. On the contrary, in the Address from the Parliament of Canada to the Queen, he found the following passage :—

> "We feel bound to declare to Your Majesty that, while we believe that this House and the people of the province are most desirous to welcome to this colony all those of their fellow-subjects who may think proper to emigrate from the parent country to settle among them, we are convinced that a continued emigration of a similar character to that which is now taking place, is calculated to produce a most injurious effect upon our prosperity, unless conducted upon some more systematic principle."

Nor did his noble Friend appear to differ in any respect from these opinions, for in a despatch addressed to the Earl of Elgin, he had stated his conviction that an enlarged and systematic system of emigration would greatly benefit the North American colonies, as well as the emigrants themselves. Why, then, did not the noble Lord suggest, for our adoption, some practical mode of fulfilling the duty which he thus freely admitted was one capable of being discharged, and which, as responsible to the Sovereign, to the British people, and to the colonies, with whose government he was entrusted, he was therefore bound to discharge ? His noble Friend, in his despatch to Lord Elgin, of the 1st of December, 1847, stated that—

> "There is nothing in the situation of Canada which renders it impossible, by judicious regulations, to provide for the occupation of her vacant territory in a regular and systematic manner, instead of leaving this to be effected, as heretofore, by the desultory, and, too often, ill-directed efforts of individuals. The saving of labour and capital which would result from such a system would cause the increase of the numbers of her inhabitants by emigration to be the means of advancing the province yet more rapidly in wealth and in civilisation."

Were these good resolutions—were all these enunciations of sound principle—to lead to nothing ? Was every thing to end in empty profession ? Even at the eleventh hour, and after hearing the noble Lord's careful and elaborate speech, he would ask their Lordships whether he had brought forward any practical proposition whatever ? Where, he would ask, was the noble Lord's scheme for the regular and systematic emigration which he described to Lord Elgin as being practicable and necessary, and which it was therefore his duty as Colonial Minister to have submitted to Parliament? All seemed to be left a profitless blank; and both to the colonies and the British public, disappointment and dismay would be the necessary consequences. The noble Lord appeared to rely exclusively upon his Australian emigration. On this he seemed to rest his claim on public confidence; and here he seemed to think that he had realised all the true principles of colonisation. It was far indeed from his (Lord Monteagle's) intention to speak in disparagement of our prospering Australian colonies. He was the very last person who was disposed to do so. On the contrary, whilst he rejoiced in their success, in common with all lovers of his country, he felt an additional and a personal gratification in marking their progress both in civilisation and in wealth. He could not forget that the formation of the Port Philip settlement was attributable to one of his oldest and most valued friends, a gallant officer, Sir Richard Bourke, whose salutary reforms and wise administration would long be remembered in New South Wales. And he might be permitted to add, that few acts in his own political life were more gratifying to him than having as Colonial Secretary in 1834 introduced into the House of Commons the Act which led to the settlement of South Australia. But because these colonies, as well as the Sydney province, were prospering, it would be wholly erroneous to suppose that all that was required had been done, or that much that was an impediment to colonisation was not now in mischievous activity. It is true that the noble Lord had gone greater lengths in Australia than elsewhere in applying his principles. He had even done so in a manner which to some would appear to involve startling and original doctrines. For not only did he willingly acquiesce in Sir C. Fitzroy's proposal to borrow a sum of 100,000*l.* for emigration purposes, but he also recommends the creation of a larger debt for similar purposes; and at last, possibly excited by the subject, he goes further, and undertakes that a national debt is in itself a national benefit. The following is an extract from the despatch of the Colonial Office of 18th December, 1847 :—

> Lord Grey to Sir Charles Fitzroy.
>
> "18th December, 1847.
>
> "When I authorised you to raise 100,000*l.* for defraying the expense of 5,000 adult emigrants, I was much induced to believe that a larger sum than you have had suggested might with great advantage be raised for the purposes of emigration; and the further accounts which have since reached me as to the urgency of the want of labour in New South Wales, have removed any doubts I enter-

tained, and have convinced me that in order effectually to supply this want, the expenditure you contemplated ought to be very considerably increased."

His noble Friend then proceeds to recommend a more extended system of borrowing on the security of the colony; and he then proceeds to reason in a manner most consolatory to an old financier :—

> "This is a practice no doubt exceedingly liable to abuse; but when the object for which money is raised is not unproductive but productive, the danger of abuse is very greatly diminished; and in the present instance there can be no reasonable doubt that an addition to the population of New South Wales, of the kind which is contemplated, by affording an additional supply of labour which is so urgently wanted, would immediately increase the productive power and wealth of the community.
>
> "The Commissioners of Colonisation inform me, however, that the supply of really eligible emigrants is limited; and with the demand for emigrants which is now increasing, not only for the Australian colonies, but for the Cape of Good Hope and New Zealand, it is doubtful whether the necessary number can be obtainable."

His noble Friend justly remarked on the enormous increase of the wool exported from New South Wales. It was natural and most important to consider this augmenting source of wealth; but why did his noble Friend omit to mention the fact that the wool was rotting, diminished in quantity and deteriorated in quality for want of shepherds, and that between 800,000 and 900,000 sheep had been boiled down in the last year to be converted into tallow, there being no labour to enable the owners to turn them to greater profit. Thus the capital of the colony was sacrificed. What the colonies wanted was labour. It was labour with which the noble Earl should supply them. The capacity of the Australian colonies to absorb labour, and the consequences that must ensue if that labour is not supplied, have never been stated more authoritatively than in the able report made by the Select Committee of Immigration made to the Legislative Council of New South Wales, and now on the table of the House :—

> "The Committee can anticipate no difficulty in the way of any number of persons that the colony may require being found willing to emigrate from different parts of the United Kingdom."

Such is the statement of those who from their position in the colony and from their local knowledge, are entitled to speak with authority. But Mr. Cowper's able report sums up the whole argument in the following impressive language :—

> "Your Committee wish to conclude their report by reiterating their solemn conviction that the question of immigration is not one that is to be regarded as affecting the mere prospective interests of the colony, or those of a particular class. It involves the consideration of the all but immediate ruin of every employer of labour, and the ultimate annihilation of those sources of profitable industry and enterprise upon the due exercise and development of which the prosperity of the colony depends. The Australian colonies contribute one-third of the whole of the wool imported into Britain. Those who now produce that commodity must cease to do so when the wages of labour exceed all profits derivable from the pursuit in which they are engaged. It may be alleged that the evil here deprecated may only amount to a mere change of ownership from the master to the servant, and that the ruin of the one will be coincident with the improved condition of the other; and that, in point of fact, such an exchange of the relative position of master and servant is already exemplified to a considerable extent. It can require no argument with your honourable House, and it is hoped none with Her Majesty's Government, to show that such an inversion of all social relations as that here depicted must be fatal to the welfare of the community. Before, however, such a crisis arrives, the real elements of the present as well as future wealth of the country will, to a great extent, be annihilated, the cattle and sheep will be boiled down for their hides and tallow, and capital and skill will be permanently withdrawn from a country where they have ceased to be profitable."

The same evidence was given last year by Mr. Jackson, who had been twenty years a resident in the colony. He stated before the Committee—

> "2334. I believe that in one year upwards of 20,000 emigrants went to New South Wales alone, and were readily absorbed; and looking at the extent of available land, and the number of sheep and cattle, I can see no season why there should not be 30,000, 40,000, or 50,000, absorbed on a well-digested scheme of emigration. Indeed it is almost impossible to hazard a statement as to the number; but I believe if you began with 30,000 this year, the probability would be that in the next year or eighteen months the colonies would absorb 50,000 more, and the year after 100,000, because sheep increase so wonderfully fast. And in the new discoveries, much of the country is a country most eligible for agriculture."

If such are the crying wants of the colony, it may be asked what impediments exist to check emigration? He was inclined to trace those impediments (to a very considerable extent at least) to the injurious regulation adopted with regard to the sale of land. The plan of fixing the minimum price at a certain given sum, namely 20*s.* an acre, was indefensible. In the year 1840, when the price was fixed at 5*s.* an acre, the sum received for lands sold was 324,000*l.* But when the price was raised to 20*s.*, the sum received in subsequent years rapidly fell off. These facts are strikingly exemplified in the following extract from Mr. Low's most able report to the Legislative Council of New South Wales:—

"The declaration of Parliament that land shall not be sold till it realise 1*l.* an acre, is a declaration that land shall not be sold till it will realise more than it is worth; in other words, that, except under very particular circumstances, land shall not be sold at all. That such has been the practical effect of the measure will be evident from the following table of the sums realised from the sale of land since the year 1837:—

Year.	CROWN LANDS SOLD AT														Special Surveys.	Total Sold.			Total Amount for Lands Sold.		
	5*s.* per Acre.			12*s.* per Acre.	20*s.* per Acre.			Upwards of 20*s.* per Acre.													
	Country.			Country.	Country.			Town.			Country.										
	A.	R.	P.	Acres.	A.	R.	P.	A.	R.	P.	A.	R.	P.	Acres.	A.	R.	P.	£	*s.*	*d.*
1837	368,483	0	6	.. ..	..	..	..	212	2	36	..		..	.. ..	368,695	3	2	121,962	12	5
1838	315,059	2	10	.. ..	..	..	..	228	2	26	30	0	0	.. ..	315,318	0	36	128,865	6	5
*1839	249,896	3	18	30,218	2,664	0	36	2,785	1	38	351	1	8	.. ..	285,915	3	20	166,713	11	4
1840	68,873	3	13	111,720	2,058	1	8	5,525	0	1	1,291	1	34	.. ..	189,468	2	16	324,072	3	1
†1841	..	..		16,430	3,310	0	0	248	2	34	153	1	16	66,199	86,341	0	10	92,636	10	9
‡1842	..	..		4,898	1,340	2	4	170	0	7	471	3	34	15,023	21,903	2	5	18,312	13	2
§1843	..	..		616	3,205	2	31	157	1	39	717	2	0	121	4,817	2	30	12,205	14	8
1844	..	..		.. ..	3,822	2	16	245	3	20	190	3	15	.. ..	4,259	1	11	9,174	15	3
1845	127	0	0	.. ..	4,440	1	33	1,754	3	20	945	1	5	.. ..	7,267	2	18	18,025	15	6
1846	..	..		103	2,841	2	0	228	2	31½	3,791	1	2	.. ..	7,018	1	33½	27,700	8	7
Totals	1,002,440	1	7	163,985	23,683	1	8	11,611	2	12½	7,942	3	34	81,343	1,291,006	0	21½	919,669	11	2

Note.—In the year 1831 Lord Ripon's regulations for the abolition of free grants, and the sale by auction of all Crown lands, were first promulgated in the colony.

* 1839.—In this year the minimum price was raised from 5*s.* to 12*s.* an acre, but did not extend to lands previously advertised at the former rate, of which there was a very large quantity at the time.

† 1841.—In this year the system of sale at a fixed price of 1*l.* per acre was introduced into the district of Port Philip.

‡ 1842.—In this year the system of sale by auction was resumed throughout the colony at a minimum upset price of 12*s.* per acre for country lands, with liberty to select portions not bid for at the upset price.

§ 1843.—In this year the minimum price was raised to 1*l.* per acre by the Act of the Imperial Parliament, 5th and 6th Vict. cap. 36, with liberty to select, at the upset price, country portions put up to auction and not bid for, or on which the deposit had been forfeited.

"From this table it will appear that the sum realised by sales of land in 1846 is less by 3,000*l.* than one-fourth of the sum realised from the same source in 1837. It will also be observed that in the five years which have elapsed since the raising of the minimum price to 1*l.* an acre, the whole sum realised by land sales is not quite 80,000*l.*, or two-thirds of the sum realised in the single average year 1837, and the whole number of acres sold about 45,000, or less than one-eighth of the number sold in 1837. The result is more striking when it is observed that in 1837 the population of the colony amounted to 85,000 persons, while in 1846 the population amounted to upwards of 196,000. Thus by unwise legislation has the permanent settlement been retarded in proportion as the demand for it has increased; and thus the fallacy that land can be made saleable at this price by the introduction of population is practically refuted."

These arguments would be much strengthened if he were at liberty to enter at length into the system of the grant of licenses for pasture land, or what is called the squatting system, irreconcileable as that system is either with a high price for land sold, or with any enlarged and effectual system of emigration. Land cannot be sold at a high price when, without purchase, it can be profitably occupied at a low one; the land fund applicable to emigration must consequently fall off. Nor is this all. The progress of agriculture, the concentration of the population, the creation of a middle class of proprietors, occupying and farming their own estates, are checked, if not absolutely prohibited, and all those elements which tend to the creation of a sound social system are sacrificed or postponed.

On the subject of the want of labour in New South Wales, the colony where the noble Earl conceived that his measures had been so pre-eminently successful, he would only trouble the House with one further piece of evidence. It was contained in a letter from Mr. Nicolson, the Speaker of the Legislature:—

"I address this letter to you from Lake George. The country is generally looking beautiful, and is covered with a carpet of the richest and blackest turf. On the farms where cultivation is carried on, there are abundant crops, and the trees in the orchards are bent with fruit. All these gifts are in a great measure valueless for want of men to enjoy and partake of them. Farmers will not grow wheat for want of a market; and in an orchard in Goulburn I was told that the choicest and most luxuriant crops would not be plucked, as they were not worth the labour of pulling. All this redundancy of the necessaries and luxuries of life is rendered valueless from the great and increasing scarcity of labour. So great is the alarm felt on the subject, that efforts have

> been made to induce the Home Government to renew transportation to this colony. The proposition has met with great opposition on the part of the labouring classes, and many influential persons, including the ministers of religion, who deprecate the idea of again converting the colony into a receptacle for the crime of Great Britain. The reply is that the want of labour is so irresistible that, unless procured in that way, we must have recourse to the systematic introduction of expired convicts from Van Diemen's Land and Norfolk Island—characters who are found, after the schooling they have had in those places, infinitely more immoral than convicts sent direct from England; for the fact is, we must have labour in some shape or other—free labour if we can get it, if not, then prison labour, and, failing either, Coolie labour. We wish to receive emigrants; we are willing to pay for them. There are millions among you dying of hunger; let us have those starving crowds; here they will find a superabundance of the necessaries of life. Instead of importing Indian corn to the starving peasant, export the peasant and his family to where the Indian corn grows. The mother country will thus be relieved of a load which is increasing annually, and pressing on her resources in the most fearful manner."

The same evidence of progress and of want of labour is given in relation to the other Australian colonies. "Though South Australia dates somewhat more than ten years," observes Mr. Elliot, "its prosperity has occurred in five." This progress is evident from the following table—

	1840		1845
Total population	14,610	...	22,390
Town population	8,489	...	7,413
Country population ...	6,112	...	14,977
No. of public-houses...	107	...	85
Convictions for Crime	47	...	22
Cultivated Acres	2,503	...	26,000
Exp. Colonial Produce	15,650*l.*	...	131,800*l.*
Revenue	30,199*l.*	...	32,099*l.*
Expenditure	169,966*l.*	...	36,182*l.*

But still, it was stated by Mr. Morphett, a member of the legislative council—

> "There are hundreds of thousands of acres still unoccupied, very good in quality, and perfectly fit for agricultural purposes."

The progress of Port Philip is even more rapid; yet the want of labour is strongly felt. The consequences are well described in the following evidence of Mr. A. Cuningham:—

> "The want of labour is a very great obstacle; so great a one, that, unless I saw a prospect of emigration being placed on a satisfactory footing, I should not invest further capital there. I propose returning to the colony and to take with me a considerable amount of capital if I find matters satisfactorily arranged in reference to emigration. It is almost impossible to get labour at all. The wool is worse got up—sheep are running in flocks nearly double the size they should be. There is a want of men to take the wool from the sheep's backs. The wool in Port Philip alone has been deteriorated 40,000*l.* in the last clip."

It should be remembered that the prosperity of these colonies, as stated by his noble Friend, had been the result not of unassisted or unregulated emigration, such as that on which some were now disposed to rely, but was the result of the nearest approach to systematised colonisation which had yet been adopted, and which is only unsatisfactory because it is not as yet boldly carried out to its furthest development. But, if he (Lord Monteagle) wished to show that the *laissez faire* system of his noble Friend was an absurdity, he need only refer to the condition of the eastern province of the Cape, and to the success which had attended the application of a sum of 50,000*l.*, voted in 1822 for the encouragement of emigrants to that colony. This emigration, too, was connected with many difficulties and mistakes at the outset, and without any fair application of a sound principle. But even under unfavourable circumstances the result of the settlement has been an immense increase in the value of the produce of the revenue, and of the exports, traceable, as he believed, to the interposition of the Crown, and to the Parliamentary grant in 1823. The population is now stated by Sir H. Young to amount to 70,000, of whom one-half are English and Dutch; 35,000 acres of land are in cultivation. In 1830 the value of wool exported was but 220*l.*; it now amounts to 143,000*l.* The annual agricultural produce of the eastern district is valued at 269,000*l.*; the live stock at 2,297,000*l.*, and the fixed property at 2,136,000*l.* He would ask, in reference to Southern Africa, had that power of successful settlement ceased? Was it incapable of further extension? He should reply by referring to the new but promising settlement of Natal. This colony, though but of a few years' growth, already gives evidence of great future development. The area is estimated at 13,000 square miles; the climate and soil in all respects are most favourable; it is well watered. Cotton is there perennial, and the indigo plant is indigenous. The imports already exceed 32,000*l.*, and the direct export is to the value of 10,000*l.* Sir P. Maitland has expressed the following opinion on the adaptation of Natal for the reception of European emigrants:—

> "I submit to your Lordships that it would be highly desirable to promote the emigration to Natal of Europeans possessed of some amount of

> capital. The district has far greater agricultural capabilities than the Cape—a better supply of water—richer soil. Unless something of the kind be effected, the settlement will degenerate into little more than a colony of natives."

This opinion was expressed some years back; but the evidence of the gallant officer, Sir Harry Smith, who now governs the colony—evidence given after a personal visit—is even more important and more conclusive :—

> " In this vast district (Natal) there is space for a population of 2,000,000. The land is in many places rich and fertile beyond description ; capable of producing cotton, tobacco, and, I think, indigo, as the latter in its wild state abounds ; well watered and possessing rich coal mines * * * The treasury for the present requires assistance, for no settlement has ever yet jumped into maturity. Exertion must be used to increase its white population."

He (Lord Monteagle) would pray Her Majesty's Government, as well as the Secretary of State, to weigh these facts well. They deserved the most serious attention. Did not his noble Friend observe the signs of the times ? Did he not appreciate the altered state of opinion ? And did he think the people of this country would be satisfied with the meagre plan he had developed ? He advised his noble Friend to look to the manner in which the question of emigration was now viewed and discussed in the other House of Parliament —he advised him to weigh well the interest which it excited in the press of the country. A few years ago there was no subject less understood by the people or the press. It was then considered as if it could only be regarded or recommended on narrow and selfish grounds. It was believed that in Ireland and Scotland emigration was sought to be promoted solely for the purpose of relieving the landlord's estates; in England its object was supposed to be a reduction of the parochial rates. It was now better understood. It was now looked upon as a question above all selfish interest. It was justly viewed as a great imperial question. He (Lord Monteagle) contemplated no system of emigration that would not be advantageous to the emigrant, acceptable to the colonies, and beneficial to the mother country. No error could be greater than to consider these interests as conflicting; on the contrary, they were inseparably united. He considered that, to avoid any glut of labour, European emigration might be combined most advantageously with the execution of great and useful works in the colonies. Take as an example an object recommended by all successive Governments as a great measure of colonial safety and State policy—the execution of a railroad from Halifax to Quebec; made all the more necessary from the opening of the line from Montreal to Portland in the United States, which rendered British North America, to a certain degree, dependent on and tributary to a foreign Power. He could multiply instances of the same kind in many of our colonial possessions, where useful public works might be made auxiliary to emigration, in all cases where doubts existed of an adequate demand for labour. But he confessed that he had heard nothing from his noble Friend which gave him the slightest hopes that the question was considered by the Government in the point of view it required to be placed in. On the contrary, he was reluctantly bound to add that no one part of the noble Lord's statement showed that he was prepared to recommend any plan of systematic colonisation, to which he ought that very night to have pledged himself, and pledged his Colleagues. Nor was there any one expression which would lead the House to entertain the remotest expectation that either by his noble Friend, or through his agents, any possible relief would be effected either for the suffering people of this country, or for the suffering colonists. Viewing this debate in the effect it was likely to produce in the minds of the thinking and reading public, he could not but anticipate that the statement of his noble Friend would be felt by the country to be feeble, inconclusive, and unsatisfactory.

Earl GREY : I did not expect that my noble Friend who has just sat down would have taken this opportunity of making upon me so elaborate an attack, putting the worst construction on every despatch I have written, and on every measure I have adopted on the subject of emigration. I regret that he has done so, because it imposes upon me the necessity of again trespassing upon your Lordships, for though I am conscious that I have already taken up more of your time than I could have wished, I am sure your Lordships will perceive that it is impossible for me to pass by the speech of my noble Friend without some remarks.

I must, in the first place, call your Lordships' attention to that which is comparatively of very little importance—my noble Friend's attack upon myself personally. My noble Friend has imputed to me great inconsistency, for having formerly, when out of office, recommended measures of very extensive colonisation, entirely of a different character from those which now, with the responsibility of office upon me, I have adopted; and in support of that charge my noble Friend has referred to a speech which I made in the House of Commons in support of Mr. Charles Buller's Motion on systematic colonisation. I confess I heard this with some surprise, because it so happens that in that very speech I expressed opinions as to the real advantages of colonisation, precisely the same with those which I have already addressed to your Lordships. Since my noble Friend spoke I have referred to the speech which I made on the occasion adverted to, and I will read only one short extract from it. I am reported to have used the following expressions:—

> "He confessed that the chief advantage to which he looked, from measures of the kind advocated by his hon. and learned Friend, was not that of obtaining immediate relief by diminishing the want of employment now so much felt and complained of. It was to measures of a different character to which they must chiefly look to attain that object; but as subsidiary to measures of this kind, according to his hon. and learned Friend's statement, he thought colonisation was particularly important."

And I then proceeded to describe almost in the very words I have already used to your Lordships this evening, the political advantages, and the advantages from the erection of new markets for our trade, which I conceive to result from emigration. My Lords, I have always held, that it was not as a mode of effecting a positive reduction in the numbers of the population of this country that emigration is of real value. I have never believed that there existed in this country any real or permanent excess of population. I am convinced, that taking the country as a whole, its still undeveloped resources afford ample means for the profitable employment of our increasing population; and that now that the shackles are removed from industry, and that the right of every man to turn his labour to the best account has been practically restored, all who are able and willing to work will in general find the means of doing so. I do not mean that there will not be partial and temporary difficulties arising from the occasional misdirection of industry, and from those calamities with which Providence may sometimes visit us, and from which no human society can expect to be always exempt; but I do assert that there is no ground whatever for believing that in this country industry will not in general meet with its due reward. I have also always maintained that those who look to emigration for relief from the distress to which the industrious classes are occasionally exposed, have not sufficiently adverted to the fact that any diminution of the population by artificial means would necessarily and inevitably be followed by an acceleration in the rate of increase of the population, which would more than meet the vacuum so occasioned. It is well known that in cases where the population of any country has been thinned by pestilence, by famine, or by war, the diminution of numbers thus created has invariably been supplied with a rapidity almost inconceivable. Mr. Malthus and all the most eminent writers upon these subjects have agreed that such is the uniform course of events. I always maintained this opinion; but at the same time I have admitted, that there is in some parts of the united kingdom, and more especially in Ireland, a sort of local congestion of population, and that practical difficulties, as much of a political as of an economical nature, prevent the surplus labour of particular districts from being productively applied at home; so that for their relief emigration might be of great advantage. These were formerly, and these continue to be my opinions upon this subject; but the great difference between my noble Friend and myself seems to be that he thinks that there ought to be some enormous grant of several millions of the public money for the advancement of emigration, while I, on the other hand, doubt whether such large grants taken out of the taxes of this country would have any other effect except that of conferring a benefit on the individuals sent out, whilst they would add to the heavy pressure of taxation on those who remained behind. My noble Friend thinks, that by means of these large grants, the State should carry out and settle emigrants upon the vacant land of our colonies; I, on the other hand, am of opinion that the State should only interfere to assist and direct the emigrant, leaving him to act for himself.

My noble Friend, in illustration of the advantages which he thinks would arise from his scheme of planting emigrants in our colonies, has referred to the eastern division of the Cape of Good Hope. Now, my Lords, if I had wanted to prove the great superiority of spontaneous colonisation over that artificial system which he has recommended, it would be impossible for me to have selected a better illustration of it than that afforded by a comparison of this settlement at the Cape with those formed on an opposite principle. Take the facts as they have been stated by my noble Friend. He tells us, that this settlement was formed in the year 1822, that a grant of 50,000*l.* was voted by Parliament for the purpose, and we are told by my noble Friend, as a proof of the success of this settlement, that it is now a thriving community; and last year exported two millions of lbs. weight of wool. Now, my Lords, as I have already mentioned, the district of Port Philip was colonised not in 1822 but in 1836-7; that is, it has been established about twelve years, instead of twenty-six. Instead of costing 50,000*l.*, it has cost this country nothing. Yet, taking my noble Friend's own test of its prosperity—the export of wool—I find that instead of the gross export of two millions of lbs., of which he boasts so much, the mere increase on the export of wool from the Port Philip district of 1847, as compared to 1846, was four millions of lbs., or twice the total produce of the settlement referred to with so much satisfaction by my noble Friend. If I were to compare the revenue, or the progress in population of the two districts, the result would be equally striking in favour of Port Philip.

My Lords, this reference to Port Philip reminds me of the objections urged by my noble Friend to the system of selling land at a pound an acre. My noble Friend has condemned that system as absurd and mischievous. Allow me to remind him, that when the system of selling land at 5*s.* an acre was established in 1831, the objections to this were not less general, or less loud, than to the higher price which Parliament has now established, and that the real principle of both measures, and the grounds upon which both have been objected to, are in fact the same. Nor is it true, as my noble Friend has alleged, that this price is a uniform price, applying equally to land of every different quality and value. On the contrary, it is the minimum price, and as all land offered for sale is in the first instance put up to auction, that of a superior quality naturally realises a higher price; and, if I remember right, the average price of agricultural land in South Australia, realised by auction, has been 23*s.* or 24*s.* an acre, instead of the minimum of a pound. My Lords, this is not an occasion on which it is possible for me to enter into a full examination of the policy of imposing the price which Parliament has fixed on waste land in Australia; but I cannot forbear, after what has been said by my noble Friend, calling for attention to the effects of that policy, as shown by experience, when contrasted with the former system. Compare, my Lords, the progress of Southern and of Western Australia. Western Australia was founded some years earlier than the other. In Western Australia large grants of land were made to capitalists, in proportion to the means they were supposed to possess. In South Australia, on the other hand, from the first, land has never been alienated at a lower price than a pound an acre. I speak from memory; but I am sure I am not greatly mistaken, when I say there is no great difference in the total cost to this country of these two settlements. South Australia, owing to extravagance and mismanagement at the outset, has required assistance to the extent of something more than 230,000*l.* Western Australia has never required any one grant to so large an amount; but having been from the first dependent upon the annual votes of Parliament for the maintenance of its civil establishment, the total amount granted to it is now five or six thousand pounds more than has been given to South Australia. Thus far there is no great difference; but now Western Australia has a population not yet exceeding 5,000, and is still unable to defray its own expenses, while South Australia has a population which, by this time must exceed 30,000, and is rapidly increasing from the large funds it possesses applicable to emigration. It has also a surplus revenue more than equal to all its expenditure. The one is languishing, and only now showing some symptoms of emerging from its long period of stagnation; the other is making rapid progress in a course of almost unexampled prosperity. I must add that these opposite results are to be accounted for entirely by the opposite policy pursued in the two cases, on this subject of land.

My noble Friend, after condemning the system of land sales which is in force in Australia, proceeded to express a still stronger objection to the regulations for the occupation of pastoral land (commonly called squatting), established by Her Majesty's Order in Council, under the authority of the Act of Parliament of 1846. My Lords, I admit to my noble Friend, that it would perhaps have been better if the colonists could have been induced to abstain from occupying so vast an extent of territory as that actually ranged over by their flocks and herds. This system, however, has grown up, not by the encouragement of the Government, but the reverse, and it rose to its present importance from causes over which he had no control, while Lord Stanley was Secretary of State. Whatever then might be thought of the advantages or disadvantages of the system, when it had thus established itself, all that remained was to endeavour to make such regulations as should render it productive of as little evil and of as much advantage as possible. Such was the object of the regulations which, on my advice, Her Majesty enacted by Her Order in Council; and when my noble Friend was so severe upon the ignorance of local circumstances which he conceives those regulations to have evinced, he can hardly have been aware that in framing those regulations I did not trust to my own local knowledge (which of course would have been entirely insufficient), but I had the assistance of one of the best and ablest public servants ever employed in our colonies, I allude to the late Sir George Gipps. I am happy also to inform my noble Friend that instead of being so unsuitable, as he supposes, to the wants of the colony, it appears by the latest accounts, that those regulations are likely to work with very great success; that the boundaries between the different descriptions of land have been upon the whole very correctly drawn; and that a question of singular difficulty and importance has received the best solution of which it was capable, by providing new facilities for the profitable occupation of the territory used for pastoral purposes; while at the same time enough, and more than enough, land to meet the wants of more permanent settlers, has been retained at the disposal of the Government.

My Lords, I fear that in following my noble Friend, my observations are necessarily somewhat desultory; but this is unavoidable, as I wish to touch, as shortly as I can, only on the principal topics which he mentioned. The next point to which he adverted was the improper abstraction, which he accused me of having sanctioned, of funds which ought to have been reserved exclusively for British emigration, to the conveyance of foreigners to Australia. He referred to a statement, which he has found in the report of the Emigration Commissioners, of a negotiation entered into for carrying 400 Silesian emigrants to Australia, and he has asked me, how I could have been guilty of so gross an injustice to the many British subjects anxious to be conveyed to our colonies, by entertaining this proposal; when I had myself, in a despatch to Sir Henry Pottinger, on the subject of a projected emigration of Germans to Natal, expressed my opinion that funds applicable to emigration, derived from the sale of colonial lands, ought to be devoted only to the conveyance of British subjects. Subject to one qualification, I hold that opinion, and I have uniformly and steadily acted upon it, and I have refused to sanction the application of any portion of the territorial revenue of the colonies, set apart for emigration, to the conveyance either of Germans from Hamburgh, or of Coolies from India, or of Chinese from Singapore, to our colonies. I have invariably maintained the principle, that as these colonies have been established and are defended at the cost of the empire, their vacant lands must be considered as the inheritance of British subjects. I have said that there is one exception to this principle. The climate of the Australian colonies is adapted to some kinds of cultivation, of which in these islands we have no experience. The vine and the olive both flourish in those colonies, and therefore it is greatly for their advantage and that of the empire at large, that there should be introduced into them a limited number of the natives of those parts of Europe in which these branches of industry are successfully prosecuted. With this view, regulations have been established by the colonial governments, and sanctioned, I believe, by Lord Stanley (and which, if not already sanctioned by him, undoubtedly would have been so by myself), permitting the application of funds derived from the sale of land, to the introduction of a few emigrants of this description.

Now, my Lords, with regard to the projected emigration from Silesia, my explanation is simply this, that except some few who would have come within the rule I have mentioned, these foreigners were to have been carried to Australia, not by Australian but by Silesian money. No part of the land fund of Australia, except that contributed by Silesian land proprietors, with the view to this emigration, would have been allowed to be thus applied; no British emigrant, therefore, would have lost the means of conveyance which he would otherwise have enjoyed, and the colony would have gained by the introduction not only of labourers, but of capitalists from Silesia. The scheme, however, as has been explained by the Commissioners in their report, was rendered abortive, or at any rate suspended by the political convulsions of Germany.*

But, my Lords, the severest censure pronounced upon me, by my noble Friend, was for having entirely neglected the subject of emigration to North America, and more especially for not having done anything to fulfil the promise made on behalf of the Government, on the occasion of the Address voted last year by the House of Commons—to cause an inquiry to be instituted in the colonies into the best mode of extending and promoting emigration. It is true, my Lords, that I did not in a formal despatch send a copy of the Address of the House of Commons to the governors of the colonies, and direct them to institute the contemplated inquiry into the means of extending emigration; but both before and after that Address was voted, I had been in correspondence with the colonial governors upon this most important subject; and if your Lordships will refer to the papers which have from time to time been laid upon your table, you will see that the means of promoting an extended emigration and the settlement of the lands of Canada and New Brunswick, have constantly occupied the attention of the governors, and no less so my own.

My noble Friend, indeed, has himself quoted from my despatches, instructions given by me upon this subject, which would show how little it has been neglected; and he has actually made it a matter of charge against me, that while I have written so strongly in favour of a more regular and systematic occupation of the territory of Canada, no measures of the kind I have recommended have been adopted. My Lords, the reason why no such measures have been carried into effect is, that I still retain the opinion which my noble Friend has taunted me with having expressed in 1845, that it is impossible to administer from Downing Street the local affairs of all the colonial dependencies of the British Crown. I entertain, and I act upon that opinion, and that is the reason why I have not attempted to enforce my own views, though I still continue to believe that if the price of land were raised in Canada—the produce of the sale being devoted to the construction of roads and other works necessary for the profitable occupation of the soil—the purchasers of land would obtain it in reality cheaper than at present, while the settlement of the territory, instead of proceeding in the desultory manner it now does, would be carried forward with regularity, and civilised society would, as it were, be gradually pushed forward into the forests. Though I have seen no reason to alter my views upon this subject, I certainly am not prepared to press for the adoption of this policy, contrary to the opinion of all who have most local knowledge and experience—against the judgment of Lord Sydenham, of Sir C. Bagot, of Lord Metcalfe, of Lord Elgin, of their different Executive Councils, of the Provincial Parliament, and of the various land companies, who have all considered and agreed in rejecting as impracticable the various plans which have been proposed for the more regular settlement of large bodies of emigrants. My Lords, this is a subject upon which the Canadians have a right to demand that their views and their judgment, not those of the British Government, should prevail.

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* In making this statement I spoke from memory as to the effect of a correspondence which took place several months ago, and of which I find, upon referring to it, that my recollection was not quite accurate. It appears that in this case the purchase of land by some of the intended emigrants formed no part of the plan, and that its object was to obtain for the colony, at a very cheap rate, a party of emigrant labourers, including some skilled in the cultivation of the vine; a farther object being to establish a connexion between the district of Port Philip and a part of Germany, whence a large number of settlers might be expected to follow at their own cost. With these views it was proposed by a gentleman connected with the colony that a party of about two hundred Moravians of Lower Silesia, described as "comprising vine-dressers and agricultural and pastoral labourers, with a few mechanics, and accompanied by one or two principals or educated persons," should be allowed a bounty of *5l.* for each person, to assist them in emigrating to Port Philip. This was afterwards changed to a proposal to send four hundred people at *2l. 10s.* It was represented that from their occupations many of the party would have been qualified by the existing regulations to have demanded the high bounty of *18l.* each, if they had gone out in consequence of orders for foreign labourers, specially transmitted from employers in the colony, and that a very much larger sum would thus have been paid for a portion of these labourers than was asked for the whole party. The arrangement would therefore have obviously been highly beneficial to the colony, as in addition to the labourers skilled in a peculiar branch of industry who were required, it would have obtained several more very useful settlers at a cost in all considerably less than that which it would have been considered worth while to incur for the former alone. The small sum of *1,000l.* intended to have been thus applied, was not to have been taken from the moiety of the land fund set apart by law for immigration.

But my noble Friend has complained that, instead of promoting, we have checked emigration to our North American colonies; and he has reverted to the subject he has more than once previously mentioned, of the laws for regulating emigration which the legislatures of those colonies have lately passed. I have already had occasion to explain to your Lordships the reasons which rendered the passing of some such laws absolutely necessary; and I confess I heard with great regret the invidious contrast between the conduct of Canada and of the State of New York towards the Irish emigrants, which has been drawn; a contrast more unjust than even the rest of the speech which my noble Friend has made this evening. My noble Friend says, that while Canada levies a much heavier tax upon emigrants than New York, she does far less for them. Nothing can be more contrary to the fact. It may be true that, by the recent law, the tax charged upon emigrants may be somewhat higher in Canada; but, in return for that tax, Canada provides not only hospital accommodation, but gratuitous conveyance to the distant parts of the province, where they proceed in search of employment, for the emigrants that come to the St. Lawrence. The hospitals provided in New York may be larger and better; but when the relative means of the two countries are compared, the efforts made by Canada are certainly not the least. It is only within these few days that I have received the full details of the sufferings endured by themselves, and occasioned to the colony by the emigrants who last year resorted to Canada; and I earnestly recommend to your Lordships' attention the report upon this subject of Dr. Douglas, the superintendent of the quarantine establishment in the St. Lawrence, which is included in the papers I have just presented. When you have read that report, I think you will agree with me that it is equally ungrateful and unjust in my noble Friend, to censure the Canadian authorities for their conduct towards the Irish emigrants, when, on the contrary, they are entitled to the very highest praise. It is true that last year great calamities occurred. The extent of emigration, and the amount of sickness, far exceeded what either Her Majesty's Government or the provincial authorities could possibly have anticipated. A large and sickly emigration was expected, and, accordingly, provision was made for assisting more than double the number of sick that had, in any former year, been thrown at once upon the hands of the Government; but, as by the laws last year in force in Canada, and the United States respectively, emigrants were allowed to proceed to the former with far worse accommodation than to the latter, and, consequently, at a cheaper rate, all the poorest and most destitute flocked to Canada, whilst those who were better off, avoiding contact with such wretched objects, went to the United States. The consequence was, that almost as soon as the navigation opened, such crowds of sufferers accumulated at Grosse Isle, that the accommodation provided proved utterly insufficient, and the numbers who continued to arrive, sick and dying, were so overwhelming that no exertions that could be made could keep pace with the still increasing demands for aid under such appalling difficulties. But no possible exertions were omitted. The energy and the judgment displayed, from the Governor General to the most subordinate officers, in carrying into effect, with the utmost promptitude, every arrangement which could be made for the mitigation of the evil, deserve the greatest credit. Above all, our highest admiration is due to the self-devotion with which the clergy, of all persuasions, and the medical officers, exposed themselves to the greatest dangers; and, I deeply regret to say, in too many cases to death, in the discharge of duties the most painful and the most disgusting. After so fearful an experience of the necessity of stringent regulations, my noble Friend has no right to complain of the law which the Canadian Legislature has passed; I trust, however, that in some respects the law will be relaxed; but, even as it stands, the information which has been received shows that it has proved very beneficial. I have been informed, within these two days, by a member of the provincial legislature now in England, that it has effected a marked improvement in the description of emigrants who have proceeded to Canada.

My noble Friend has urged, that emigration should not be allowed to proceed without regulation, and at random, but that the emigrants should be directed and assisted by the Government. My Lords, this is what the Government endeavours to do, and—I will add—has done. Arrangements are made, and most effectively made, for receiving and directing to the quarters where they can obtain employment, the emigrants who proceed to our North American colonies. But my noble Friend wants something more. He wants the Government to undertake the task of selecting and carrying out those who are to emigrate. My Lords, I am convinced that the attempt to do so would be the greatest blow that could be inflicted upon emigration. How, let me ask, is it possible that any machinery of Government officers for selecting and conveying such a multitude as a quarter of a million of emigrants, could do otherwise than prove a failure; while, if such a task were undertaken, those who were sent out would consider the Government responsible for providing for them, and we should have a repetition of all those abuses, and those evils, which arose from the Irish relief works of last year. I repeat that the proper functions of a Government in this matter are not to supersede the efforts of individuals, but rather to guide and assist individual exertion.

But my noble Friend thinks we should go still further, and, if I rightly understand him, he contends that Parliament ought to be called upon for a large grant of money for public works to be undertaken in the North American provinces, to give employment to the emigrants.

My Lords, upon this subject I think it only necessary now to say, that the question of a large advance of money, taken from the produce of our taxes, for public works on the other side of the Atlantic, is one which, in the present state of our finances, is at least full of difficulty. But when my noble Friend refers to the projected railway from Quebec to Halifax as one which we ought to have considered, I beg to assure him that we have not omitted to do so. The construction of that railway, I agree with him in regarding as an object, not only of colonial, but of imperial interest. It has been viewed in this light by the preceding Administration as well as by ourselves; and officers of the Royal Engineers, under the directions of the Board of Ordnance, have accordingly, for more than two years, been employed in making the survey which is necessary before such a work could be decided upon. The final report of that survey has not yet been received, but it is expected almost immediately. In the meantime the provincial authorities are occupied in collecting information as to the traffic to be expected, and in considering what arrangements might be made for undertaking this great work. When the means of forming a judgment shall thus be placed within our reach, Her Majesty's Government will not lose a day in deliberating on the measures it may be expedient to adopt.

In conclusion, my Lords, I have only to add that my noble Friend has altogether misunderstood what I said, when he has represented me as having expressed an opinion that we ought to rest satisfied with what has already been accomplished in the way of emigration. On the contrary, my argument was, that though we should proceed upon the same principle as heretofore, yet it was the very nature of measures resting upon a sound principle, that they should be progressive, and that, to use my noble Friend's expression, emigration should beget emigration. I pointed out to you to how great an extent this had already been the case, and that, with regard to Australia, a system of promoting emigration begun seventeen years ago, upon the smallest scale, had gradually been extended, and was now producing results of national importance, with every prospect that in each succeeding period of five or ten years the current of emigration will be found to have become larger and stronger.

My Lords, I have no doubt that this will be the case, and that we shall see (if injudicious efforts to accomplish more than can be effected do not mar our prospects) that in the course of a few more years the numbers of our fellow-subjects in the distant regions of the earth are increased to an extent it is impossible now to calculate.

Papers laid on the table.

UNLAWFUL OATHS ACTS (IRELAND) CONTINUANCE AND AMENDMENT BILL.

The LORD CHANCELLOR said, that he rose to move the Second Reading of this Bill, which had for its object the continuance and amendment of certain Acts respecting secret and illegal societies in Ireland. It was almost unnecessary for him to say that those societies were illegal which were bound together by secret and unlawful oaths. The law as it stood, without the aid of further provision, was sufficient to deal with illegal meetings wherever the real character of such meetings could be ascertained; but some definition was necessary as to what these societies were. The great difficulty was in finding out and distinguishing what were secret societies. There could be no doubt that they had recently existed to a very great extent in Ireland for the purpose of promoting and organising a conspiracy for seditious and treasonable purposes. The consequence of this was that by means of these secret clubs and societies, an organisation had been completed throughout the country which had recently led to so much mischief, but which had been prevented extending to the degree that the promoters of it intended. Unless means were found by which these secret societies and clubs could be suppressed, it was vain to look for tranquillity in Ireland. There could be no doubt that many of the outrages committed, and the recent organisation of the disaffected for insurrection, originated in these secret societies. The present Bill proposed to continue the two existing Acts on the subject (the 4th Geo. IV. c. 87; and 2nd and 3rd Vic. c. 74), with some additions. To obtain actual information as to parties being sworn in members of these secret clubs would be a matter of great difficulty; but still he thought means might be devised by which this might be effected more satisfactorily than was the case under the present state of the law. In the present Bill he proposed a clause, that before a warrant was issued for the apprehension of parties as members of such societies, an oath should be taken by the party giving the information that there was reasonable ground to believe that such oaths were administered, and that the parties were engaged in unlawful or seditious practices. The Bill then authorised any magistrate to issue his warrant; and, under the authority of that warrant, it was proposed to empower certain officers to attend the meetings, to restrain them if necessary, and to search for and examine books and papers. It had been suggested that the Bill should go a little further, and give some more immediate remedy against the persons forming these societies. After considering the matter, he conceived that this was not at all necessary. If the societies, as they existed, were illegal, all that was wanted was access to the meetings for the purpose of proving their illegality. The police, having obtained access, would ascertain that illegal practices were carried on, and the societies would then come under the provisions of former Acts. The authorities would, in fact, be armed with all the provisions that could be needed, and to secure that object it was not at all necessary to alter the provisions of former Acts. Parties offending against the law would be amenable under the existing statutes. The great object was to prevent these illegal societies from carrying on their practices in private, and for this purpose means were proposed to enable the police to detect them in their unlawful pursuits. The officer, when authorised by the warrant of a magistrate, was to be at liberty to continue in the place of meeting as long as he considered it expedient to do so. He would, of course, check any illegal transaction which was going on during his presence; and, what was most important, he would be able to inform himself, by an examination of books and documents, as to the object of the society. This was undoubtedly an invasion of the rights and prileges of the Queen's subjects, but it was an invasion which was not carried further than the state of Ireland absolutely required; and he believed that, after the fullest consideration had been given to the proposed measure, it would be found that nothing short of the powers which the Bill provided would enable the Government of Ireland to prevent the revival of those secret societies which had produced so much evil, and which required to be checked by the authority of the law. He, therefore, trusted thot their Lordships would sanction the Bill.

The Earl of GLENGALL said, it had been his intention—the present state of the House alone prevented him from fulfilling it—to move that a portion of the Act passed in 1833 should be inserted in the measure under consideration; and the purpose for which he meant to make that proposal was the putting down of the Repeal Association which met on Burgh Quay. On learning that measures of that description were about to be introduced, he had hoped that the example set by a former Administration would be followed at the present time; and he could not but express the disappointment which he felt at finding that it had not. Now, having looked over the four or five Acts which, by the Bill before the House, were to be renewed and extended for two years, he had come to the conclusion that the course proposed would not lead to the breaking up of the clubs. Under the 2nd and 3rd Vict., and 4th Geo. IV., it was necessary that the members of the associations to be suppressed should have bound themselves by oaths. The clubs in Ireland had no oaths, though the members understood one another perfectly well. He would like very much to be better informed on that subject, and would be glad if the noble and learned Lord opposite (Lord Campbell) would state whether or not magistrates, and other authorities, in Ireland could, under the provisions of the Bill, bring members of the clubs to justice as offenders against the law.

Lord CAMPBELL said, that, as the noble Earl had appealed to him, he felt it his duty to answer the question propounded. The noble Earl seemed to forget altogether that there was such a thing as the common law. There were statutes directed against illegal meetings, which gave tests of illegality; and, without going further, he would observe, that if it could be proved that illegal oaths were administered, or that illegal pass-words were used, meetings at which such things occurred were at once adjudged by the law to be illegal. But, without that, according to the common law of England, which was also the common law of Ireland, if meetings were held for any seditious or treasonable purpose they were illegal, and all, therefore, who attended them might be punished. What was now wanted was, to obtain evidence of the purpose for which these meetings were assembled. The object of the Bill was to enable police officers, with the sanction of a magistrate, to enter any house or place where it was supposed or suspected that an illegal meeting was assembled, and to ascertain the purposes for which that meeting had been convened. If the parties attending were discovered to be preparing for an insurrection, or for the bearing of arms, or, in fact, to be doing any thing which was illegal, they would be liable to be apprehended; and should they be brought before the noble Earl as a magistrate, he advised the noble Earl immediately to commit them to gaol. He (Lord Campbell) would indemnify him against any consequences which might follow from the granting of the warrant. There was one error prevalent in Ireland to which he wished briefly to allude. The people of that country seemed to suppose that nothing was illegal except what was forbidden by the statute. They appeared to imagine that it was lawful for them to have arms in their hands for the purpose of carrying on an insurrection against the Queen's Government if there were no statute to forbid it. Now, the common law forbade this. Wherever arms were found under such circumstances might be seized, and those who had them for that illegal purpose were liable to be imprisoned, brought to trial, and punished. Without any statute, if people assembled for a seditious or treasonable purpose, and it was proved that they had so assembled, although they might not have administered any illegal oath, or employed any illegal pass-word, still they were amenable to the law, and it was the duty of a magistrate to put the law in force against them. Therefore, the noble Earl might be perfectly tranquil in the discharge of his duty, in which he (Lord Campbell) was sure the noble Earl was most earnest; wherever there appeared to be any conspiracy against the existing Government of the country, or wherever people were apparently combining to violate the law, the noble Earl might fairly believe the parties to be guilty of a crime, and might resort to the means requisite to bring them to punishment.

Lord REDESDALE thought there was great evil in the habitual renewal of temporary measures for the government of Ireland, when experience had proved such measures to be permanently necessary. There was nothing either in the 2nd and 3rd Vict., or in the 4th Geo. IV., which, after recent experience, ought not to be made permanent in its application. At that period of the Session he would not raise any obstruction to the passing of the Bill; but he certainly thought that two years was an unnecessarily short period for the continuance of the Acts to be renewed.

Bill read 2ª.

House adjourned.

HOUSE OF COMMONS,

Thursday, August 10, 1848.

MINUTES.] PUBLIC BILLS.—1° Commons Inclosure Act Amendment; Militia Pay; Out Pensioners; Fever (Ireland); Taxing; Ecclesiastical Patronage Suits Compromise (Ireland); Officers of Courts of Justice (Ireland); Assimilation of Appointments.

2ª Steam Navigation; Fees (Court of Chancery); Poor Removal (No. 2); Nuisances and Contagious Diseases; Petty Bag Offices, &c. (Court of Chancery); Boroughs Incorporation.

Reported.—Court of Justiciary (Scotland); Criminal Law Administration Amendment; Registers of Sasines, &c., (Scotland); Renewable Leasehold Conversion (Ireland); Poor Law Union District Schools; Corrupt Practices at Elections; Tithe Rent Charge, &c., (Ireland) (No. 2); Fisheries (Ireland).

PETITIONS PRESENTED. By Colonel Thompson, from Members of the Congregation of Wesleyan Methodists, in the Town of Betley, Staffordshire, for a Better Observance of the Lord's Day.—By Sir George Grey, from the Guardians of the Berwick-upon-Tweed Union, in favour of the Marriage (Scotland) Bill.—By Mr. Lushington, from the Directors of the Scottish Anti-State Church Association, for the Withdrawal of the Regium Donum Grant.—By Mr. Hume, from several Inhabitants of Edinburgh, for Inquiry into the Annuity Tax (Scotland).—By Mr. J. E. Vivian, from Adventurers in British Copper Mines in Camborne, and its Vicinity, against the Copper and Lead Duties Bill—By Mr. William Lockhart, from several Wine and Spirit Merchants of Ayr, for an Alteration of the British Spirits Warehousing Bill.—By Mr. Chisholm Anstey, from the Grand Jury of the County of Sligo, for an Abolition of the Coroner's Office (Ireland).—From the Grand Jury of the County of Cork, praying for the Relief of the Distress in Ireland.—By Mr. Reynolds, from the Lord Mayor, Aldermen, and Burgesses of Dublin, for Alteration of the Dublin Police Bill.—By Sir De Lacy Evans, from the Parish of St. Martin-in-the-Fields, Westminster, for Alteration of the Metropolitan Commissions of Sewers Bill.—By Mr. C. Lewis, from the Guardians of the Hereford Union, against the Poor Law Union District Schools Bill.—By Colonel Kemeys Tynte, from Jonathan Toogood, M.D. of Torquay, Devonshire, for Restricting the Sale of Poisons.—By Mr. Anstey, from the Grand Jury of Sligo, for an Alteration of the Poor Law (Ireland).—By Mr. Spooner, from the Guardians of the Aston Union, Warwickshire, for Alteration of the Poor Law Union Charges Bill.—By Mr. W. Lockhart, from the Presbytery of Hamilton, for Alteration of the Registering Births, &c. (Scotland) Bill.—By Mr. Fuller, from the Parish of Rye, Sussex, to take the Turnpike Trusts into Consideration.

RENEWABLE LEASEHOLD CONVERSION (IRELAND) BILL.

On the Motion that the House resolve itself into Committee,

Mr. LAW opposed the further progress of the measure. It was a Bill seriously affecting English owners, whether absentees or residents of Irish property, and went, in fact, to convert the fee-simple of their land into a fee farm rent, and to confer upon middlemen the freehold now vested in proprietors. This was the first time that an arbitrary law had struck at the power of the Irish Society in the plantation in Ulster since the reign of Charles I.; and he thought it was an extreme hardship that such a course should be pursued towards a public body like this, created for public purposes, and who, with the rarest exceptions, were the only contributors to schools and public institutions. The Irish Society stated that one of the promoters of this Bill was a gentleman whose estate was liable to be forfeited, and that he promoted it in order to set aside the forfeiture, and to convey to himself a freehold in his estate. The Bill sanctioned neither more nor less than a complete spoliation of property to the prejudice of the occupier and real proprietor, and for the benefit of middlemen. He did not say that the measure was altogether bad; there were many things in the principle of the Bill and in some of its provisions which he did not complain of; but a measure affecting property to so large an extent should have machinery which applied to all cases, and not merely to the divesting of the proprietors of large estates. He entreated the Government to give him an assurance that the Irish Society would be exempted from the operation of the Bill; or that the measure would be postponed until next Session, in order that, by a different framing of the Bill, the objections to its provisions might be obviated.

Sir W. SOMERVILLE referred to several opinions delivered by law authorities in Ireland, with the view of demonstrating the evils and inconveniences arising out of the existing system. It had created, over and over again, the most extensive and most vexatious kinds of litigation, and had done more to give insecurity to property in Ireland than almost anything else. Every care had been taken in framing the Bill not to deprive the Irish Society or other proprietors of any power of enforcing claims and conditions on which the leases were now held. The object of the measure was to give increased security to property; and he believed that it would be found beneficial both to the proprietor and lessee.

House in Committee *pro formâ*. Resumed. Bill to be recommitted.

THE NAVIGATION LAWS.

House in Committee on the laws relating to navigation and the registration of ships and seamen.

Mr. LABOUCHERE said, that in placing in the hands of the Chairman the resolution he was about to move, it was scarcely necessary for him to remind the House that the Government had been compelled, very reluctantly, to give up all expectation of being able, during the present Session, to pass a Bill for the alteration of the navigation laws. He hoped the question might be brought under the notice of the House next year, at so early a period as to insure its receiving that full consideration which its importance deserved, and to enable Parliament to adopt a matured measure. It was not the intention of the Government to attempt to pass any measure on the subject during the present Session; but they were desirous to be enabled to lay their views before the House and the country in the shape of a Bill, which would be a much more satisfactory way of presenting the subject to their attention than by the statement of a Minister of the Crown. He believed there was a general disposition on the part of the House to assent to this course; and he considered that it would be altogether inconsistent with the spirit of the agreement which had been entered into if he were to say anything that could lead to a discussion on the subject. He begged, therefore, to place a resolution in the hands of the Chairman, with the object of enabling him to bring in a Bill. The right hon. Gentleman moved—

> "That it is expedient to remove the Restrictions which prevent the free Carriage of Goods, by Sea, to and from the United Kingdom and the British Possessions Abroad, subject, nevertheless, to such Control by Her Majesty in Council as may be necessary; and to amend the Laws for the Registration of Ships and Seamen."

Mr. HERRIES did not feel that he should be justified in entering into a discussion of the merits of the proposition, as the object of the Government was only to lay their measure completely before the House, and not carry it further this Session.

Mr. W. E. GLADSTONE thought the Government could not be blamed for postpoing the measure. There could be no hope of passing one so complicated—involving such extensive interests, appealing so much to the feelings of large parties in and out of the House, and compelling the discussion of complex collateral questions—unless it were introduced at a very early period of the Session. Knowing, that with the mass of public business to be dealt with, it was very difficult for a Government to bring forward its measures as early as it would desire, he did not refer to this in the way of censure, but to express a hope that it might be submitted very early in the next Session, if not as the first measure of the Session. With respect to the form of the resolution, he confessed he should have preferred one of a more general character, not involving that peculiar feature of the Government plan—the reservation of a very large discretionary power to the Queen in Council; to his mind it was an extremely doubtful question whether the form in which the measure was thus shaped was the most conducive to the public interests; and he did not quite agree that, as a general rule, resolutions of this kind ought to be passed *pro formâ*, and without committing those who voted on them. It must be understood that he did not hold himself bound to any assent to this feature in the Government plan, but that that subject remained entirely open.

Lord J. RUSSELL said, it had been the purpose of the Government to state their intentions and go into their general view before Christmas; but the pressure of other business induced them to postpone it; and, having been postponed to a later period, it was found impossible to proceed with the measure this Session. The right hon. Gentleman had said that he did not wish to be bound to the peculiar form in which this question was introduced, and that he thought the resolution ought to be in general terms. He agreed with the right hon. Gentleman as to the nature of the resolution to be proposed; but, in this instance, it was originally made an objection that there was not a sufficiently specific resolution proposed; and the right hon. Gentleman opposite (Mr. Herries), instead of going into Committee to discuss the question there, moved a previous resolution by which he wished the House to affirm the maintenance of the general principle of the navigation laws. The right hon. Gentleman (Mr. Gladstone) had said that he considered the peculiar form in which the repeal of the navigation laws was thus proposed to remain, perfectly open to discussion; it certainly would, but he would state, that though the Government had wished to introduce the measure in this particular form, there would be nothing to preclude them from reconsidering that form. The opinion of the House had been obtained upon the general question, whether the navigation laws should be maintained with exceptions, or repealed with exceptions, and there was a very decided majority against the proposition that the navigation laws ought to be maintained. This was the state of the question at present; and the Government having obtained that opinion of the House, it would be open to them to reconsider, if they should think proper, the form in which, in a future Session, they would propose the repeal of these laws. He quite agreed that, whatever the measure, it should be proposed early in the Session.

Mr. ROBINSON denied that the House had affirmed the principle of the Government measure. They had only negatived the counter resolution proposed.

Mr. BRIGHT would repeat what he had stated on a former occasion, that the population even of the shipping towns were in favour of this measure. At a public meeting in Sunderland, the opinion was almost unanimous in that direction; and three or four years ago, when the hon. Member opposite (Mr. Hudson) was first returned, though he had a majority of the shipowners at the poll, the sailors and artisans were for the abolition of the navigation and corn laws. When the sailors' procession assembled in Trafalgar-square not long since, he (Mr. Bright) asked one of them what they were going about; and the answer was, "that some of the people down the river had told them they were to eat black bread if the navigation laws were abolished." This was the sort of delusion attempted to be practised upon them. He wanted to make no boast of his sympathy for them—he wanted only what was just for the labourer; and in regard to this particular question, seeing how large a portion of the population of this country lived by industry employed on articles exported to foreign countries, and by the trade arising from the importation of foreign products, he saw nothing that could be more calculated to stimulate industry, and improve the condition of our labourers, as far as it went, than a measure which would throw open more extensively and freely the great highway of nations, across which those products were carried to and from this country. The hon. Member for Sunderland was in fact an exemplification of the want of soundness of his own principle; for perhaps no man had done more than the hon. Member to bring about a free communication between Scotland and the southern parts of this island. He was surprised, then, to see the hon. Member stand up in that House and support the miserable and obsolete code of the navigation laws. If the hon. Member would examine this question with the same plain common sense which he applied to the management of railways, and would trust less to the politics of the noble Lord the Member for Lynn than to his own powers, he would do better for himself and for the part which he took in the legislation of the House. But he (Mr. Bright) trusted, if this resolution were adopted as he hoped it would be, that the Government would in the next Session bring in a Bill with that sort of spirit and determination which, when exhibited from the Treasury bench, had a great effect not only in that but in the other House; for he found that when the Government brought forward in that House a somewhat good measure, and urged it feebly, and without some determination, some noble Lords in another place plucked up courage they otherwise would not have had, and threw out measures which, under other circumstances, they would have been willing to accept.

Mr. NEWDEGATE supposed that the resolution which had been placed in the hands of the Chairman was a true exposition of the Bill which the right hon. Gentleman was about to lay on the table of the House, because otherwise those who had opposed the measure introduced by the Government would be in a false position.

Mr. LABOUCHERE said, that the hon. Member for Warwickshire had asked him whether the Bill he proposed to lay on the table was in accordance with the statement he had made when he brought this question before the House, and also with the resolution in the hands of the Chairman? He (Mr. Labouchere) should think that he was practising a sort of trick upon the House if the Bill were otherwise than in accordance with the resolution; and he thought when the hon. Gentleman compared that Bill with the resolution, and recollected what he (Mr. Labouchere) had stated on introducing the subject to the House, he would find that the Bill he was about to introduce carried into effect that which he then proposed. At the same time he did not consider himself precluded from taking advantage of any information or consideration he could give to the question during the recess. He would only repeat the assertion he made on the former occasion, that nothing would have induced him to propose this measure to the House if he had thought that those alterations were inconsistent either with the commercial greatness of this country or the maritime power which he felt was indissolubly connected with that commercial greatness. It was because he believed that by this wise and timely alteration we should secure the foundation upon which the most important national objects were based, that he had ventured to recommend it to the House.

Resolution agreed to. Bill to be brought in.

CORRUPT PRACTICES AT ELECTIONS.

House in Committee.

On the question that Lincoln should stand part of the Schedule,

Colonel SIBTHORP would not condescend to petition the House on the part of the borough of Lincoln, nor would he plead *ad misericordiam*, as far as its condemnation might apply to that borough or himself. His father, brother, uncle, and great uncle, and, as the noble Lord smiled, he would add his great grandfather, had represented that borough.

His family had performed those acts which he considered to be the paramount duty of an Englishman, and he had followed their excellent example, if that was bribery and corruption. Of these acts he was not ashamed; he would tell the noble Lord that, in spite of the House of Commons he would repeat them. If the noble Lord admitted, on a question connected with this important subject, that to give refreshment to a county representative body, which was not to influence the vote, was justifiable, he would ask the noble Lord with what right he could charge an individual like himself (Colonel Sibthorp) with giving to the poor man that which he had a right to have, and which he (Colonel Sibthorp) should have been unworthy of representing the city of Lincoln if he had forgotten? He knew it was vain to contend against the premeditated intentions of the noble Lord; but let the noble Lord think what he would of the constituencies of England, he (Colonel Sibthorp) had that opinion of the independence of the city of Lincoln that he was confident the electors would act as men, and that they would not be ashamed either of what they had done, or of what their representative had done. He would not insult the borough, nor degrade himself, by petitioning the noble Lord to remove Lincoln out of the schedule. The noble Lord and his coadjutors might inflict any punishment they thought proper upon it; and he (Colonel Sibthorp) had done his duty in denouncing the unmanly, arbitrary, and unjust character of the whole proceeding.

Mr. W. MILES had expected that his hon. Friend the Chairman of the Lincoln Election Committee would have moved to strike out Lincoln from the Bill; but as his hon. Friend was not now present, he himself, as a Member of the Committee, wished to call the attention of the House to the evidence and the report. The counsel stated that there were forty-six cases of bribery, but only three were brought before the Committee, and of these only one was proved, and that was only a 10*s.* case. The report of the Committee stated that a system of treating had for a long time existed in the city of Lincoln, and five or six houses were mentioned which had been opened by the candidates for that purpose. But the real difficulty was to ascertain what was and what was not corrupt treating, because that depended upon the intent with which the refreshments were given. The report of the Committee also stated that sums of money were paid to voters for their lost time; and they expressed their opinion that practices of this kind must always be open to serious evils, and required some definite enactment to prevent them. More good would be done by stating, in plain language, in an Act of Parliament, what corruption was, than by Committees of appeal, or Commissioners scouring the country at a very great expense to find out what was patent to everybody.

The SOLICITOR GENERAL hoped that the Committee, having already agreed to include four boroughs in the schedule, would also consent to insert Lincoln, and not think it necessary again to discuss the principle of the measure.

Mr. ANSTEY did not think that the case of Lincoln was governed by the rule which applied to Horsham. There was sufficient information obtained about Lincoln already. But the Horsham rule would also apply to the city of London; and as he saw the noble Lord (Lord J. Russell) in his place, he would give him an opportunity of coming forward and saying that he did not shrink from an investigation into matters of which the world had heard so much. Management, no doubt, had prevented the presentation of a petition against the return for London, and management had caused the petition which had been presented against the return for Horsham not to be prosecuted. In neither case was there any proved fact to proceed upon; the charges as to each rested upon common fame. Why not then apply the same rule to both? It was generally believed that in London the "long shore men" had been bribed to the number of 1,000. It was also affirmed that personation had been practised to a great extent. These corrupt practices were alleged to have been committed by persons in the interest of the noble Lord and his Colleagues; and that allegation rested, he believed, on unimpeachable evidence. It had been asserted by a Member in his place in that House, and yet the noble Lord took no notice of the matter. It was stated out of doors, that no less than 32,000*l.* were spent in procuring the election of the Ministerial candidates at the last election for the city of London. That was too large a sum to be expended for a *bonâ fide* purpose. He would now put this question to the noble Lord—would he include the city of London in the schedule of the Bill? His reason for asking that question was this—

he was promised by a Member of the House that he should be placed in a position to state names and to specify particular sums in connexion with corrupt practices at the last election for London; but the document upon which the statement was to have been founded had miscarried. He called upon the noble Lord to break the silence which he had hitherto observed with reference to this matter, and to attempt to vindicate the character of his friends and constituents in the city of London.

Lord J. RUSSELL: The Committee must recollect the circumstances under which I determined to proceed with the Bill now under consideration. Various reports were made from Election Committees, and many Members thought that the writs for the boroughs to which these reports referred ought to be suspended until further inquiry was made into corrupt practices alleged to have taken place at the elections for those boroughs, with a view of determining whether Parliament ought to legislate on the subject. Various opinions were given on that point; but I confined myself to voting, as an individual Member of the House, upon the questions as they arose relative to the issuing or suspending of the writs. It, however, was urged by several Members, and especially by the right hon. Baronet the Member for Tamworth, that it was fit that some Member of the Government should introduce a Bill for the purpose of determining the form which the inquiry into the reported boroughs should take. For some time I declined to take this course; but at last, seeing that a Bill on the subject which an independent Member had introduced was perpetually causing the delay of public business, I did undertake to introduce the Bill which is now before the Committee. The hon. and learned Member, thereupon, thinks that I am a fair object of attack, and that he is justified in bringing a personal charge against me. [Mr. Anstey: I made no personal attack.] Well, the hon. Member at least attacked the character of my constituency, and called upon me to put the city of London into the schedule of the Bill. I deny that, because I have undertaken the management of this Bill, at the request of influential Members of the House, I am bound to put the place I represent in the schedule without any cause being assigned for that proceeding, merely to gratify the curiosity or the malignity of those who pursue me as the introducer of this measure. I am merely acting in the discharge of my public duty, and I maintain that the place which I represent could only be put in the schedule in consequence of having been the subject of the report of an Election Committee, or upon other substantial ground being laid for that proceeding. I will relate to the Committee the history of my connexion with the city of London. I represented the borough of Stroud, which had done me the honour to elect me in the first instance without opposition, and subsequently, when a contest took place, I was returned for the borough by a large majority. I was elected without being put to any expense whatever, and I was allowed perfect independence as to my political course in this House. A numerous body of the electors of London—some thousands I believe—addressed a requisition to me, stating that a great public question being at issue, namely, that of protection or free trade, they desired that I would allow myself to be put in nomination as the advocate of free trade. I told the deputation which waited upon me that personally I had no desire to leave the constituency with which I was connected—that it was possible that constituency might think me ungrateful for leaving it for another; but seeing that the decision of the city of London upon the great question of free trade must necessarily exercise an important influence upon public opinion, I would consent to become a candidate; but I distinctly stated that my election must be conducted without recourse being had to any of those means to which the term "corrupt practices" could be applied. The deputation assured me that my wishes in that respect should be strictly followed. The election for London took place, and I was returned by a small majority of nine. At the last election I was asked whether I would be a candidate in conjunction with three other gentlemen. I replied that I felt honoured by having been elected for London, and that I was willing to be a candidate again; but that I would not be connected in a requisition with any other person whatever. The election took place, and I was returned by a great majority. No person, that I know of, has complained of the manner in which that election was conducted. I have not paid out of my own pocket the sum of 32,000*l.* I paid nothing more than I thought necessary for the lawful expenses of the election. I contributed no money to be applied to corrupt practices, nor did I resort to any management to prevent an election petition being presented; and that having been my conduct, I think I ought not to be questioned respecting any rumours which are said to prevail, although I know not whether they do or not. I have heard of those rumours from the hon. Member, but not from any one else. Where the hon. Member picked up these rumours I cannot tell; but I think I ought not to be taunted with them, because I have proposed a Bill which deals with the cases of certain boroughs, of the merits of which I knew nothing. [Colonel SIBTHORP: Oh, oh!] I have no personal feeling against any of the Members for the boroughs in the schedule. Let me assure the hon. and gallant Member for Lincoln that I have no personal feeling against him. I hope that he and his posterity may continue to represent Lincoln as long as his ancestors have represented it. I have brought forward this Bill on public grounds; and I do not feel called upon to place the city of London in the schedule merely because an hon. Member gets up and says that there are certain rumours afloat affecting the character of the Prime Minister's constituency.

MR. HUDSON said, he could readily believe that the noble Lord was unacquainted with any corrupt practices at the last election for London; the noble Lord was the last person who would be allowed to know anything about the matter. The Chairman of the noble Lord's Committee also declared that he had nothing to do with bribery. Doubtless he had not. The Committee-room was the last place in which bribery was carried on; that business was always transacted by the outdoor agents. The noble Lord's memory failed him when he said that he was the champion of free trade at the first election for London; he was then a protectionist, and advocated an 8*s*. duty against the sliding-scale. The noble Lord subsequently became a free-trader along with the right hon. Member for Tamworth, the one giving up the fixed duty and the other the sliding-scale.

Committee divided on the question that Lincoln stand part of the Schedule:—Ayes 69; Noes 13: Majority 56.

List of the AYES.

Abdy, T. N.
Adair, H. E.
Adair, R. A. S.
Armstrong, R. B.
Bagshaw, J.
Barnard, E. G.
Bellew, R. M.
Bowring, Dr.
Boyle, hon. Col.
Brockman, E. D.
Brotherton, J.
Brown, W.
Clay, J.
Clements, hon. C. S.
Colebrooke, Sir T. E.
Craig, W. G.
Dick, Q.
Duncan, G.
Dundas, Adm.
Ebrington, Visct.
Elliot, hon. J. E.
Fagan, W.
Fox, W. J.
Glyn, G. C.
Grace, O. D. J.
Grey, rt. hon. Sir G.
Grey, R. W.
Hawes, B.
Hay, Lord J.
Hayter, W. G.
Heald, J.
Humphery, Ald.
Jervis, Sir J.
Kershaw, J.
Lascelles, hon. W. S.
Lewis, G. C.
M'Cullagh, W. T.
M'Gregor, J.
Matheson, Col.
Maule, rt. hon. F.
Mitchell, T. A.
Moffatt, G.
Nugent, Lord
Paget, Lord A.
Parker, J.
Pilkington, J.
Reynolds, J.
Rich, H.
Romilly, Sir J.
Russell, Lord J.
Rutherfurd, A.
Sheil, rt. hon. R. L.
Smith, J. A.
Somerville, rt. hn. Sir W.
Spearman, H. J.
Spooner, R.
Tancred, H. W.
Thompson, Col.
Thompson, G.
Thornely, T.
Tollemache, hon. F. J.
Turner, E.
Villiers, hon. C.
Ward, H. G.
Williams, J.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.

TELLERS.

Tufnell, H.
Hill, Lord M.

List of the NOES.

Bennet, P.
Bentinck, Lord G.
Disraeli, B.
Floyer, J.
Henley, J. W.
Jolliffe, Sir W. G. H.
Lacy, H, C.
Masterman, J.
Miles, W.
Mullings, J. R.
Napier, J.
Newdegate, C. N.
Urquhart, D.

TELLERS.

Sibthorp, Col.
Hobhouse, T. B.

Lincoln to stand part of the Schedule.

On the question that the borough of Aylesbury be inserted,

LORD NUGENT, as one of the representatives of the borough, said, he and those by whom he was returned courted inquiry in the most full and searching manner. Indeed, he thought that every Member who had been returned purely to that House was bound to call for inquiry whenever there was an allegation of corruption.

MR. DICK, as one of the representatives of Aylesbury also courted the most searching inquiry.

MR. DISRAELI said, he had listened with perfect astonishment to the speeches of both of the representatives of the principal towns of the county which he (Mr. Disraeli) had the honour to represent. As to that maudlin sensibility which said that an impeachment under any circumstances was entitled to an inquiry, he could not at all sympathise or agree with it; and knowing the amount of real business they had to transact, and the great difficulty they experienced in getting through the business brought before that House, he entirely protested against the principle laid down by the noble Lord, one of the Members for Aylesbury, upon this subject. He did not care whether his conduct were to be impeached in that House or elsewhere; all he desired was, if a charge were made, and if an inquiry was to follow, that that inquiry should be one attended with public advantage. With regard to the borough of Aylesbury, he could speak with perfect frankness; he did not represent it; and whether it was disfranchised or not was to him a matter of perfect indifference. As regarded most of those who lived in the town, they were generally electors of what were called "liberal principals;" and, therefore, being supporters of Liberalism, and opponents of liberty, they generally opposed him. But, in former days, the Aylesbury people generally were even then exposed to exaggerated charges of corruption — corruption that was not more characteristic of constituencies than of other classes in the community—a corruption rather the result of a different moral tone from that which at present prevailed. And how did the Legislature interfere with the state of things in Aylesbury in old times? Why, seventy years ago they opened the borough to the hundreds—they made the suffrages of that borough devolve upon a larger district—in fact, the area of Aylesbury was turned into a small county; and he spoke on his honour as a gentleman when he stated his belief that corruption was unknown in Aylesbury and its district, and that its electors were as pure as those of any county in England. He did not believe that such a thing as a bribe was offered, much less accepted, amongst the electors of Aylesbury. Was it not, then, monstrous, because of the mere imputation of a charge of treating, created by the accidental vote of a Committee, they should seriously be called upon to put in the Bill the name of a borough of that kind—an old English constituency, which he was certain was as pure as they could ever make any borough, even if they had recourse to the ballot, which was passed the other night by the House, or to any other means they could possibly devise—was it, he asked, not perfectly monstrous that a Bill of pains and penalties should be passed in that manner upon a constituency of that character; and that its two representatives, the one being a Liberal nominally, who, from a principle of morbid sentimentality, required that his purity should be established by an inquisition—that he on the one side, representing the Liberal interest, should come there and denounce his constituents; and that the other hon. Gentleman, who was supposed to represent the "illiberal" party, should come there in order to place himself in a clean position in the House of Commons, and could find no other mode more convenient than that of holding up his own constituents to public reprobation? He did not know whether the hon. Gentleman meant again to appear on the hustings at Aylesbury, and wished his speech that night to serve him as a letter of recommendation; or, whether, on a subsequent occasion, he meant to support electoral districts; but that was the only way which he (Mr. Disraeli) could possibly account for it. The noble Lord (Lord Nugent) was the victim of a too pellucid sentimentality. As the representative of the county of Buckingham, he utterly protested against the speeches of the two representatives of Aylesbury, and must say that they would not be justified by their constituents in the course they had taken. He appealed to the evidence which had been published: it presented not the shadow of what any man could admit to constitute a reasonable ground for an inquiry; and, as one of the Members of the district, he said this, without any reserve or equivocation, and without any desire by saying it to please the electors—that was not his object; he was sure he could not gain the support, whatever he might say, of the electors of Aylesbury; and from his knowledge of the people of that borough, he solemnly protested against this legislation of cant, and against this holding up of the constituency to public reprobation.

Lord NUGENT rose to vindicate himself against the not very intolerable charge of the hon. Member who had last spoken, and who impeached the few words which he had taken the liberty of offering. Whatever motives the hon. Gentleman might choose to ascribe to him in the part he had taken that evening, he begged to say that he did not wish the inquiry to be instituted merely because the last election of the borough had been impugned; but because the tribunal appointed by that House to try these matters had reported that in the case of one of the Members, facts had been proved of a nature to disqualify him from sitting as the representative of Aylesbury. Therefore a *primâ facie* case for inquiry had been made out, and a strong case had been shown against, at all events, a portion of the constituents; and therefore, in order to relieve the constituency from the shadow of an imputation, he courted investigation, and he only trusted the inquiry into the conduct of that borough, as well as of all the other boroughs in the schedule, would be made with the greatest rigour and severity; otherwise, if they were not rigidly and strictly prosecuted, they would do much more harm than they ever would do good. "To temper justice with mercy" in such cases, as an hon. Member had entreated, would be to commit an act of injustice to the public.

Mr. Q. DICK defended himself from the uncalled-for attack made upon him by the hon. Member for Buckinghamshire. He had merely stated that he cordially assented to the Bill being made applicable to Aylesbury because he wished to see the constituency freed from the charges made against it, and he firmly believed it would come out unscathed from the ordeal of the proposed inquiry.

Borough of Aylesbury inserted.

Upon the question that Bodmin be placed in the Schedule,

Mr. WYLD said, that no maudlin sentimentality should prevent him from standing up in defence of the honour and integrity of the borough which he represented. There were special reasons why the framers of the Bill should not have included Bodmin within it; and he would briefly allude to them. But he would first remark, that a series of boroughs had been placed in that schedule by the Solicitor General, and now at the eleventh hour the Solicitor General came down and inserted the name of Bodmin and other boroughs represented by Gentlemen who had for so many months given Government their best support. He might ask, was this the consideration which the Government showed to Gentlemen who had supported the present Administration all the Session? And was it in this way Government showed its disinterested spirit by including Bodmin among the list of boroughs in the Bill? He never cared for any fear, favour, or affection, and would act independently, whatever Government might be in power. On the part of the borough, he had made no objection to the strictest possible investigation; but it was unjustly stigmatised by being placed in that Bill, of which the preamble set forth that "corrupt practices had prevailed in certain boroughs," which was altogether unsubstantiated as far as Bodmin was concerned. Why, what was the nature of the evidence before the Committee? It was stated in the report that the last election was the purest, the quietest, and altogether the best conducted election for that borough which had ever occurred; and the Judge who sat at the assizes for the district, shortly after it had taken place, complimented the mayor of the borough upon this gratifying circumstance. And what had the Committee reported to the House on the subject? Why, that the practice, which was one of long standing in the borough, had prevailed at the last election, of giving a printed ticket to each voter after he had polled, entitling him to five shillings' worth of refreshment; but it was not proved that these tickets had been issued with the knowledge or at the expense either of the sitting Member or his agents. These tickets, even if they had been given by the sitting Member, would come under the category of what the noble Lord at the head of the Government and the right hon. Member for Tamworth had termed "proper hospitality," in contradiction to "corrupt treating;" these *5s.* tickets had actually been subscribed for by a large proportion of the electors of the borough themselves, to be given to their poorer brethren, who had to come a distance of sixteen or seventeen miles to record their votes. One of these *5s.* tickets was all that a labouring man received to procure refreshments for himself and his wife after a long journey. This was all that was proved against Bodmin; and yet it was to be placed among the boroughs introduced into that Bill. Why, if such trifles were to be called proofs of corrupt influence, the efficacy of the measure would be totally destroyed—the thing would be made perfectly ridiculous. He could not account for such a proceeding, unless it were that certain persons wanted to tamper with the constitution, and were seeking covertly to carry out their designs by first making the people dissatisfied with the present mode of voting. He protested against the ancient and respectable borough of Bodmin, which was proved to be innocent of corrupt practices, being placed in disgraceful companionship with boroughs which had been proved to be guilty of them.

The SOLICITOR GENERAL said, it appeared by the evidence that refreshment tickets had been issued to the voters of Bodmin by the friends of both candidates. An hon. Member called his attention to the fact, and asked why that borough had not been included in the Bill? Bodmin was consequently at once included in the list. Considering what the House had done in the other cases, he thought that, notwithstanding what had fallen from the hon. Member for Bodmin, it would be unjust to make an exception in favour of that borough.

Mr. DISRAELI: I consider the hon. Member for Bodmin to be very ill treated. The Solicitor General has given the House his reasons for inserting the borough of Bodmin; and I think the Solicitor General ought to be ashamed for giving such reasons. He admits that he knows nothing of the case of Bodmin—that he has not read the evidence nor the special report. This seems to me to be a canting, lying, hypocritical Bill. The whole thing is miserable and hypocritical, and not really founded upon fact. "I confess," said the Solicitor General, "that this is a very weak case." Why, does any one doubt that it is a very weak case? There are other things besides the Bill. The whole thing is weak from the beginning to the ending. I do not much fear, Sir, that the reputation of Parliament is endangered by the investigation that has already taken place; but what I do fear for the reputation of Parliament is the intellectual gauge which is given by these measures as to the remedial agency which is to put an end to practices which we all disapprove of. If this is your machinery, and these are the men who are to prevent organic changes, then I think indeed the constitutional future of this country is gloomy. Anything more ridiculous in conception or feeble in execution I never witnessed. If the hon. Member for Bodmin divides the House, he shall certainly have my support.

Mr. LACY said, that he never was so surprised in his life as he was on Saturday, on returning from the sea-side, to which he had taken a sick relative, at finding that Bodmin was to be placed in the schedule. Never had so foul a charge been made against a borough that had deserved it less. The report stated that the treating was without the knowledge of the sitting Member. The Solicitor General, however, in arguing upon it afterwards, said it did not matter whether it was done by the principal or agents. Now, in Bodmin it was neither the one nor the other. He (Mr. Lacy) had not got the evidence; but he presumed his solicitor had. The thing had already been disagreeable enough without his reading the evidence. It had cost him about 1,000*l.*; and he was still open to be asked by every booby that he met, if it was not yet settled. He had been bothered and plagued merely because an hon. Member, like a schoolboy, had said, "Tom is as bad as I am; why don't you put Bodmin down?" The Solicitor General had no objection to put Bodmin down, not having read one word of the evidence. In his case, it was proved that six gentlemen clubbed together to pay for eighty tickets. One refused to pay, and the other five had to defray the expense. He himself never heard of it until three weeks after the election, and yet he was to be put into such a Bill as that. He should move that Bodmin be expunged from the schedule.

The SOLICITOR GENERAL said, that in inserting Bodmin, he had only followed the general rule in regard to all those cases in which special reports were made. However small the amount given to voters at elections, it was evidently given for the purpose of influencing their votes; and such was a case for inquiry by the House of Commons.

Mr. BANKES: The Solicitor General had admitted that this was a very weak case; and he (Mr. Bankes) wished to know whether, on a weak case, the House would consent to put Bodmin in the Bill? As the hon. Member for Buckinghamshire (Mr. Disraeli) had truly and eloquently said, if they passed this Bill, they would succeed in bringing upon that House the ridicule of the country.

Mr. G. TURNER said, the Solicitor General had admitted that he had not read the evidence in the case of the Bodmin election. Yet he called upon the House to perform a judicial duty. He doubted whether the noble Lord opposite (Lord J. Russell) was contributing much to the cause of purity of election by proposing to meet a great evil by punishing constituencies for giving 5*s.* refreshments to poor voters. He thought the best course for the House would be to sanction a provision in the Bill allowing a reasonable amount of refreshment to the electors.

The SOLICITOR GENERAL had been urged to put Bodmin and Bolton in the Bill by Members on the other side of the House. He was perfectly willing to withdraw the names of Bodmin and Bolton from the Bill, if such was the pleasure of the House.

Mr. HENLEY said, the further they went into this Bill the more extraordinary it seemed, and the more difficult it was to reconcile its provisions with common sense. There seemed to be no principle acted upon in the selection of the boroughs to be inserted in the Bill—they were kicked into the Bill and kicked out again on mere caprice. The Solicitor General ought to show why he would not exempt Bolton and Bodmin, and put in Aylesbury and Lincoln. Was there no better justification for all the penalties and inquisition which this measure provided than such whimsical notions? He thought they were going on in a course which must end by covering the authors of this Bill with ridicule, and disgusting the whole constituency of England.

Mr. DISRAELI: Sir, I want to know what it is that the Government really intend doing with this Bill. It seems very strange that they should consent to withdraw two boroughs from the Bill, in consequence of a very slight debate. The Solicitor General, when he spoke first, favoured us with what he called the principle of the Bill, and said it was based upon the report of the Committees. The Solicitor General, when he spoke last, favonred us with another principle of the Bill, namely, the suggestion of the hon. Gentleman the Member for Bodmin (Mr. Wyld), whose plaintive appeal he could not forget. The hon. Member said, with great feeling, is this the return you are going to make to me for my continued support to the Government? if so, there is no encouragement whatever for hon. Gentlemen about me to support the Government, nor for me to remain its supporter. His speech was what Quintilian calls the irony of rhetoric—he made an appeal which I am sure no Secretary to the Treasury could misunderstand. The effect was great—the appeal was at once responded to. The hon. Gentleman was successful, not only for himself, but for a more distinguished Gentleman, the name of whose borough was also set down in that fatal schedule. The learned Doctor the Member for Bolton, has, through that appeal, also escaped. I can well understand the astonishing efficacy of this most telling little speech. The hon. Gentleman sits on the favoured side of the House. But the learned Doctor (Bowring) disclaims against being excepted. He saw in a moment the innocence and inexperience of the hon. Member for Bodmin—he saw instinctively that his appeal would tell, and, feeling that, took a high ground. He called for investigation. He confessed that some of the Bolton electors were corrupt and profligate. I have not the slightest doubt of it. I never knew an election in which the candidates did not say that those who voted against them were corrupt and profligate; nor a beaten candidate that did not say the whole constituency was the basest in the united kingdom, although there was not a shilling expended. I believe there is no subject about which so much monstrous exaggeration is resorted to as this one of bribery. The Solicitor General, the servant of the Crown, has surely selected the best evidence, and made out the best case; and yet Her Majesty's Solicitor General brings forward a Bill of pains and penalties, and asks the House to sanction it. Upon what grounds? Why is this measure for purifying the constituencies of England brought forward? Why is this stigma affixed upon some of our old boroughs and upon whole constituencies? Listen to Her Majesty's Solicitor General. After an election in one borough, it had been proved, *horribile dictu!* that a man and his wife, who had come many miles to vote, had accepted a five-shilling ticket for refreshments from the friends of one of the candidates. Now, this is a culled instance—this is a chosen case—this is the best testimony which the Solicitor General of the Crown can produce, in order to call upon the House of Commons to disfranchise a constituency of this country. I confess, Sir (I admit that it is a great fault on my part), that although anxious to discharge my duty as a Member of this House, that I have not yet read this Bill through. I have sufficient experience to know, that at the end of July or the beginning of August there is always some strange, newfangled scheme introduced before the Legislature by the Government, who, like skilful actors, wish that the last scene of the melodrama should be the most brilliant, and that the curtain should not fall until the blue lights and rosy flashes have gratified the imagination, if not the understanding, of the spectators. A poor elector and his wife get *5s.* for refreshment—they purchase a slice of roast mutton and a glass of brandy and water, which are as much as *5s.* at election times would purchase, provisions being twice as dear then as it any other period. Are these people to be summoned, and brought perhaps ten miles to be examined upon this five-shilling refreshment? This is the evidence upon which the Solicitor General is to carry out his Bribery and Corrupt Practices at Elections Bill. Well, then let us look at the machinery by which this Bill is to be worked out. The Commissioners are to hold courts of inquiry on the spot. They are to proceed in the gravest manner to put an old man and woman to the rack about a glass of brandy and water and a slice of mutton, or a pint of half-and-half. The Commissioners are to come down from London, open an inquiry "in the market-house, or other public building," with great expense and great solemnity, about a plate of mutton and a glass of beer. And then the unfortunate old man and woman that have accepted this treat are to be frightened out of their wits, and to be obliged to travel several miles, it may be, to be tested about this awful corruption. And then, says the Bill, the Commissioners must publish the notice of such investigation in some newspaper in general circulation. This awful affair about the old man and woman having the slice of mutton and glass of beer is to be made the subject of all this parade, all this exposure and judicial paraphernalia. But this is not wild hypothesis—this is the dry substance of an Act of Parliament brought forward by Her Majesty's Solicitor General; and these are the instances selected to justify his legislation. Now, I ask the House, can anything make legislation more farcical; and is it possible that the House of Commons can for a moment lend its sanction to such conduct? Had it been straightforward and stupid legislation, the House might have tolerated it. But it was stupid, and at the same time subtle—and so managed, that hon. Gentlemen who sat on the other side of the House, if they supported the Government—may escape the impending disaster. This admixture of the lower motives of Parliamentary life, and such pretended purity of legislation, will not be lost upon the country. We are now told as suddenly as their insertion was proposed, that two boroughs are to be omitted in this black list. I want to know why Sligo and Lancaster, neither of which are in the printed schedule, have not been also omitted by the hon. and learned Gentleman (the Solicitor General) along with Bolton and Bodmin? Why are their names to be retained, and Bolton and Bodmin left out? And why should Bolton and Bodmin escape with impunity? I should be sorry for our legislation to be annoying to the learned Doctor opposite (Dr. Bowring), or to the hon. Gentleman who gave such splendid maps to the borough of Bodmin. Well, I do not think that geological knowledge in this country is too extensive—and a present of maps should be encouraged rather than be repressed. But if Bodmin and Bolton are to be omitted, why should not Sligo and Lancaster? Some person, it seems, threw the names into the lion's mouth in the same manner, and why were they permitted to remain? I think it is highly objectionable that this Bill should not have been reprinted, and an accurate schedule of the intentions of the Government put before us. I think, too, that we ought to have some more formal notice of a measure to disfranchise the people of England. [The SOLICITOR GENERAL: It was three times on the Votes.] On the Votes! Why, not one Member in fifty ever sees the Votes. I think that a notice of so important a character should have been given in a more solemn way. I will ask the House whether so important a matter ought to be treated in so flippant a manner? I think, too, that the whole argument of the hon. and learned Gentleman (the Solicitor General) was unworthy of himself. The Government ought to have come forward with a clear statement of what they intend. It is not altogether that these two boroughs, in this flippant manner, are taken out of this Bill of pains and penalties; but what will be the effect produced upon the public? You call upon the country to sanction what is, at the first sight, one of the greatest invasions of the constituent privileges that can be contemplated, and you hold out to the country that you have not ventured to take the step until after the most matured investigation, and the deepest and wisest counsel. But what does the Crown officer say to-night with a frankness that does him honour? Why, that the Bill was prepared in a haphazard manner—that names of boroughs were flung across the table of the House, and that he inserted them in this black law—that an hon. Gentleman, not now present, over the green table, said, if you insert such a borough, why not insert such another borough—and that the Solicitor General, in order to show that there was no such thing as party feeling, says he is ready for anything, and takes the first name which is thrown over the table, and inserts it in this Bill to disfranchise the people of England. After the strange confessions of the Solicitor General to-night, the Committee, I think, will do well to take a little more time for consideration, before it proceeds with this Bill.

We ought to move that you, Sir, report progress, in order that the Government may come forward with a measure more matured and better founded. The hon. and learned Member's proposition ought to be sanctioned, not only by the evidence as it exists, but by their own counsel; and I hope the Government will not attempt to take a course which, as regards the people of England, is the most important that they could take, without a little more thought and consideration for the public rights and public opinion. That the Government may have the opportunity of pursuing that course, I move that the Chairman report progress, and ask leave to sit again.

LORD JOHN RUSSELL said, that he could not but admire the tactics which on this occasion were pursued by the hon. Gentleman. They were quite new, exceedingly ingenious, and might be found of great use, if not in promoting the public welfare—if not in attaining any measure useful to the State—at least in embarrassing the progress of measures which might have such objects in view. He had heard it lately made a matter of regret that there was not at present a leader of Opposition in the House—a leader who might in some degree control, and be responsible, for the conduct of the party who followed him. But although that was the state of things which existed in former days, he could not but observe that Gentlemen opposite had now found a better plan. They had two leaders of Opposition, who it appeared were to adopt two different lines of policy. His hon. and learned Friend, the Solicitor General, yielding, it might be, too soon and too easily to suggestions from the other side of the House relative to Bodmin, presented an opportunity for the new school of tactics to be displayed. First, then, got up the hon. Member for Dorsetshire, one of the leaders of the Opposition, and he considered that Bodmin had been inserted in the schedule on far too light grounds—that there had not been sufficient evidence adduced to justify its appearance there at all. The hon. Gentleman was supported in that view. The general sense of the House appeared to be with him. There was no charge against the sitting Member—the charges which were made against the electoral body were confined to a few persons. Such being the case, his hon. and learned Friend consented to leave Bodmin out of the schedule. Up immediately started the other leader of the Opposition, exclaiming that in sparing Bodmin we could only be acting from corrupt motives; that he would not have thought of omitting Bodmin and Bolton, if the Members for Bodmin and Bolton had not been supported by Government; and so inferring that all supporters of Government had nothing to fear. Now let the House observe the tact with which this was managed. Had Bodmin been retained in schedule, what an outcry we should have had! The hon. Member for Dorsetshire would have taken up the cry—Government were acting most unjustly—here was a great case of hardship: a borough disfranchised for a couple of slices of cold mutton and a glass of brandy and water. But now came the stratagem—now appeared the obvious advantage of leaders of Opposition marching different ways—one Gentleman very indignant at the insertion of Bodmin—the other Gentleman very indignant at the omission of Bodmin. The hon. Gentleman the Member for Buckinghamshire talked of this Bill as brought in to produce the effect of the last scene in a melodrama. If it were a melodrama, certainly both the hon. Gentlemen the Members for Dorsetshire and Buckinghamshire played well their parts, having settled beforehand that one hon. Gentlemen was to be indignant at the insertion of Bodmin, while the other was to be indignant at its omission. He thought that in bringing forward this Bill, and asking the consent of the House to it, the only fair ground they could take was, the assertions of the different reports of Committees appointed by the House. The hon. Member for Oxfordshire said that they ought to have pursued a different course; and he begged the Committee to consider what would have been the case if they had taken that course. Was his hon. and learned Friend the Solicitor General to have gone through the evidence in each of these cases, and without attending to the report of the Committee—was he to have carefully weighed the value of the evidence of every witness, and have determined how much criminality attached to each? If they had come forward and had said, " We have gone through the evidence in the case of fifteen boroughs; we do not rely on the reports, but we have made up our minds that, as to twelve of these boroughs, there is sufficient evidence, and that as to three there is not"—only conceive what a case the hon. Member for Oxfordshire would have had to have followed through all the evidence. He would have said, "They proceed entirely on party grounds. I will show you on the evidence of John Brown and Thomas White, you ought to have inserted this borough, and omitted the other." It would have lasted the hon. Member for Oxfordshire, with his ingenuity and readiness in picking holes and taking an advantage, for a whole year; and they would have been sitting on this Bill till Christmas. If they had fallen into that trap, he was quite sure the hon. Member would have delighted in the torments he would have inflicted on them, and he knew not when the hon. Member would have let them out of it. He thought they had taken a far better course in saying they would go by the report of the Committees. From nothing which he had heard to-night, or on various other nights (and they had had somewhat long and not very amusing discussion on this subject), had he been at all persuaded that it was not right in Parliament to proceed and carry a Bill of this kind. His impression was, that after the number of Committees they had had sitting this year, and the number of those Committees who had declared that, in certain cases there were practices which had prevailed, not only in late elections, but in many former elections, either of bribery or treating, he thought it was due to the country that there should be some further investigation; and that Parliament should have before it the means of carefully considering what measures they should adopt on this subject. If they shut their eyes and said they would take no further proceedings, they would throw great suspicion on their conduct. His belief was that they had taken the fairest method of investigation—the most impartial mode of investigation—by requiring the Committee to be formed like Election Committees; and if these Committees thought it advisable to have the examination on the spot, then to have a commissioner named by the senior Judge who appointed the revising barrister. He believed that was at least an impartial course. These boroughs, as he had said, were taken out of this general mass, on account of these reports being made; and when they were asked what course they should pursue after these reports were made, he must say that must depend on the nature of the evidence and the opinion of the Committee. At all events, he thought that, by this strict inquiry, they would show they were ready to condemn these corrupt practices. He believed it would redound to the character of the House that they should show themselves ready to investigate the cases and adopt such measures; and he was sure that hon. Gentlemen who had given as much opposition to this measure as if it had been a party measure of the Government, would find themselves, by maintaining the character of Parliament, as much gainers as any other parties.

Mr. HENLEY said, that in this discussion they had had tragedy, comedy, and melodrame, and it would be well if at last they did not come to farce. The noble Lord had said that there was a private understanding on that side of the House to take a particular line; but did it not occur to the noble Lord—he was sure it would to the country—that no Gentleman, or set of Gentlemen, or human being, could have imagined that the Government would take the course it had done. Was it very hard to conceive that on a question affecting the rights and the franchise of the people of this country, that the Government would have put places into the schedule of the Bill without examination, and then without examination put them out? In the whole history of Parliament, such another instance could not be found. The noble Lord found fault with him (Mr. Henley) because he wished the evidence to be looked to; but that was the natural course for any one who wished to come to a correct conclusion. But the operation of the Bill, after all, was like hanging a man first and trying him afterwards. Was it not a fact that both the Committee and the Commission would commence their labours with a foregone conclusion? He contended that they were not in a position to go further with the Bill that night; from the conduct of the Government it was more and more apparent that they ought not to proceed hastily. He thought the proceedings of to-night would go far to satisfy the people of England that Members of this House were inclined to "strain at a gnat, and swallow a camel." The very hair on their head seemed to stand on end at hearing that a poor unfortunate devil had got a glass of beer for his vote; and yet when an hon. Member got up and complained of their inserting his borough in the schedule, though he had supported the Government for the last three months, that instant the borough was taken out of the Bill.

Dr. BOWRING said, after what had passed, he could not consent to Bolton being withdrawn. He denied that the Government could have been influenced to withdraw it from party motives; for his hon. Colleague invariably voted against Government, and he gave them by no means an unqualified support. But he courted inquiry, and he was sure if there were vile and corrupt people among the electors, it was for the interest of all parties that they should be exposed.

Colonel THOMPSON: This comes of "that same giving back." A stratagem of war, of course a blameless one, is played off upon us from the opposite side of the House. Resistance is made to putting two boroughs into the schedule; and when the Government concedes the point, it is told it was because the Members for those boroughs voted on their side. The only way to get out of this position, is for the Government side of the House to insist on coming to a division, and then their constituents will know what every man supported. The tendency of leaving these boroughs out of the schedule, is plainly to give ground for maintaining that treating is not bribery. Bribery is admitted to be a sin; but treating was never prohibited. The distinction is taken from that chaplain to Newgate, who said, "If you will drink, let it be punch, which is a liquor nowhere spoken against in Scripture." This side of the House knows full well, that treating operates against the purity of election as well as bribery, and that the object of both is the same, to give the decision of elections to the longest purse. The only way for the independent Members on the Government side to clear themselves, would be to go to a division.

The Committee divided on the question that the Chairman do report progress:— Ayes 35; Noes 116: Majority 81.

List of the Ayes.

Arkwright, G.
Baillie, H. J.
Bankes, G.
Benbow, J.
Benett, J.
Bentinck, Lord G.
Boldero, H. G.
Burroughes, H. N.
Cabbell, B. B.
Coles, H. B.
Dodd, G.
Floyer, J.
Forbes, W.
Fuller, A. E.
Goddard, A. L.
Grogan, E.
Hamilton, G. A.
Harris, hon. Capt.
Henley, J. W.
Herries, rt. hon. J. C.
Hobhouse, T. B.
Houldsworth, T.
Jolliffe, Sir W. G. H.
Mackenzie, W. F.
Miles, W.
Mullings, J. R.
Napier, J.
Neeld, J.
O'Brien, Sir L.
Sibthorp, Col.
Taylor, T. E.
Urquhart, D.
Verner, Sir W.
Waddington, H. S.
Wodehouse, E.

TELLERS.
Disraeli, B.
Newdegate, C. N.

List of the Noes.

Abdy, T. N.
Adair, H. E.
Adair, R. A. S.
Anson, hon. Col.
Armstrong, Sir A.
Armstrong, R. B.
Bagshaw, J.
Barnard, E. G.
Barron, Sir H. W.
Bellew, R. M.
Berkeley, hon. Capt.
Berkeley, hon. C. F.
Blackall, S. W.
Bowring, Dr.
Boyle, hon. Col.
Brocklehurst, J.
Brockman, E. D.
Brotherton, J.
Brown, W.
Buller, C.
Bunbury, E. H.
Buxton, Sir E. N.
Callaghan, D.
Christy, S.
Clay, J.
Clay, Sir. W.
Clements, hon. C. S.
Cobden, R.
Cowper, hon. W. F.
Craig, W. G.
Dick, Q.
Douglas, Sir C. E.
Duncan, G.
Duncuft, J.
Dundas, Adm.
Ebrington, Visct.
Elliot, hon. J. E.
Fagan, W.
Ferguson, Sir R. A.
FitzPatrick, rt. hon. J.
Fortescue, hon. J. W.
Fox, W. J.
Gladstone, rt. hon. W. E.
Goulburn, rt. hon. H.
Greenall, G.
Greene, J.
Grey, rt. hon. Sir G.
Grey, R. W.
Grosvenor, Lord R.
Hawes, B.
Hay, Lord J.
Hayter, W. G.
Headlam, T. E.
Heald, J.
Howard, P. H.
Hutt, W.
Jervis, Sir J.
Kershaw, J.
Labouchere, rt. hon. H.
Lacy, H. C.
Lennard, T. B.
Lewis, G. C.
Locke, J.
M'Cullagh, W. T.
M'Gregor, J.
Mandeville, Visct.
Matheson, A.
Matheson, Col.
Maule, rt. hon. F.
Melgund, Visct.
Monsell, W.
Morpeth, Visct.
Morris, D.
O'Brien, T.
Ogle, S. C. H.
Paget, Lord A.
Paget, Lord C.
Parker, J.
Pearson, C.
Perfect, R.
Pilkington, J.
Price, Sir R.
Raphael, A.
Reynolds, J.
Ricardo, O.
Rich, H.
Romilly, Sir J.
Rumbold, C. E.
Russell, Lord J.
Rutherfurd, A.
Sandars, J.
Scholefield, W.
Sheil, rt. hon. R. L.
Smith, J. B.
Somerville, rt. hon. Sir W.
Spearman, H. J.
Spooner, R.
Stuart, Lord D.
Tancred, H. W.
Thicknesse, R. A.
Thompson, Col.
Thompson, G.
Thornely, T.
Tollemache, hon. F. J.
Townshend, Capt.
Turner, E.
Turner, G. J.
Tynte, Col.
Verney, Sir H.
Watkins, Col.
Willcox, B. M.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.
Wyld, J.

TELLERS.
Tufnell, H.
Hill, Lord M.

The question that Bodmin be added to the Schedule negatived.

On the question that Bolton be inserted in the Schedule, the Committee divided:— Ayes 118; Noes 14: Majority 104.

List of the Noes.

Benbow, J.
Bentinck, Lord G.
Boldero, H. G.
Christy, S.

Disraeli, B.
Dodd, G.
Mullings, J. R.
Napier, J.
Neeld, J.
Newdegate, C. N.
Sibthorp, Col.
Somerset, Capt.
Taylor, T. E.
Waddington, H. S.

TELLERS.
Hobhouse, T. B.
Henley, J. W.

House resumed. Bill to be re-committed.

House adjourned at a quarter to Two o'clock.

HOUSE OF LORDS,

Friday, August 11, 1848.

MINUTES.] *Took the Oaths.*—The Earl of Ducie.

PUBLIC BILLS.—1° Registers of Sasines (Scotland); Court of Justiciary (Scotland); Chancery Proceedings further Regulation.

2ª Militia Ballots Suspension.

Reported.—Ecclesiastical Jurisdiction; Loan Societies; Highway Rates; Bankrupts' Release.

3ª and passed:—Trustees' Relief; Paymaster's Offices Consolidation.

PETITIONS PRESENTED. From Salford, and Stalybridge, in favour of the Adoption of a System of Secular Education.—From Wakefield and Gloucester, for the Reduction of the Warlike Expenditure of this Country.—From Barford and Arnold, for the Repeal of the Law of Settlement.—From the Members of several Lodges of the Independent Order of Odd Fellows, and Order of Foresters, for the Extension of the Provisions of the Benefit Societies Act to these Orders.—From Members of the Gloucester Temperance Society, for the Enactment of Sanitary Measures.—From the Parish of St. Martin-in-the-Fields, for Improving the Sanitary Condition of the Metropolis. —From the Counties of Cumberland and Cork, and Colony, of New South Wales, that no Bill may be passed, that will have the effect of Diminishing the Electoral Privileges of the Inhabitants of New South Wales.

HOUSE OF COMMONS,

Friday, August 11, 1848.

MINUTES.] PUBLIC BILLS.—1° Controverted Elections; Labouring Poor (Ireland).

2° Militia Pay; Sheep, &c., Importation Prohibition; Sheep, &c., Contagious Disorders Prevention; Out Pensioners.

Reported.—Turnpike Acts Continuance; Money Order Department (Post Office); Metropolitan Commissions of Sewers; Poor Removal (No. 2); Boroughs Incorporation.

3° and passed:—Court of Justiciary (Scotland); Criminal Law Administration Amendment; Registers of Sasines, &c. (Scotland); Fisheries (Ireland).

PETITIONS PRESENTED. By Mr. Newdegate, from the Electors of Derby, for the Issue of a Writ for that Borough. —By Mr. Forster, from the Mayor, Aldermen, and Burgesses of the Borough of Berwick-upon-Tweed, in favour of the Marriage (Scotland) Bill.—By Sir J. Y. Buller, against the Copper and Lead Duties Bill.—By Mr. Clay, from the Committee of the Hull Guardian Society for the Protection of Trade, for an Alteration of the Law respecting County Courts.—By Viscount Morpeth, from the Township of High and Low Bishopside, Yorkshire, in favour of the Poor Law Union Charges Bill.—By Mr. Spooner, from the Guardians of the Aston Union, Warwickshire, for Repeal of the Poor Removal Act.—By Dr. Bowring, from Members of the Independent Order of Odd Fellows, of the Bolton District, against the Provident Associations Fraud Prevention Bill.—By Mr. Frewen, from the Parish of Salehurst, Sussex, to take the State of the Turnpike Trusts into Consideration.

UNLAWFUL WAR-MAKING.

MR. URQUHART rose to postpone until Monday his Motion relative to the expenditure for diplomatic agents abroad.

Sir DE L. EVANS would take the opportunity of reminding the hon. Member for Stafford, that he had on a former occasion spoken disrespectfully of General D'Aguilar, Colonel Brotherton, and Brigadier General M'Doughal. He thought the hon. Member was not justified in speaking in such terms of disparagement of those who served their country, by serving in the armies of her allies.

MR. URQUHART: Mr. Speaker, I will assure the hon. and gallant Member for Westminster, that he is perfectly correct in the statement that he has made regarding myself: he has hit the right nail on the head. It is precisely the part I have taken in the affairs of Greece, that is the origin of those conclusions which the hon. and gallant Gentleman says I have been so persevering in placing before my countrymen. He will recollect that these circumstances occurred in my early life; but they are the key of my future conduct. It was the share I had in that war, and the instinct of its injustice, that first led me to investigate this great subject; and when I did discover the delusion under which I had laboured in common with my fellow-countrymen at this particular time, I did feel myself oppressed with a load of shame and guilt, and I have been impelled unceasingly to labour to awaken others in like manner, and thereby to recover the sense of law and right among a nation from whose breast within a single generation it has utterly passed away. The hon. and gallant Member seems very needlessly sensitive at once, and contemptuous in reference to certain epithets which I have used, and which he chooses to say, and says justly, apply to myself no less than to those in reference to whom I had used them. But if I remember correctly, and if I have read aright, discussions which took place in former years in this House, the hon. and gallant Gentleman was not merely characterized as a Pirate, but as a *Condottiere;* consequently if the hon. and gallant Gentleman now says that he is indifferent to such an allegation as coming from me, I am not at all surprised. The words which I have uttered here have not been uttered for the first time, nor has the picture which has been drawn the merit of originality. These charges have been asserted repeatedly, without exciting the hon.

and gallant Gentleman's sensitiveness. As to General D'Aguilar, I entertain peculiar respect for his personal character; but the hon. and gallant Member will see that the question raised is a great and public matter; he will see that it is nothing less than that whole subject which has produced the volumes of Suarez, and Vattel, and Grotius, and all the great authorities upon international law; he will see that we are touching no less a question than the lawfulness or the unlawfulness of the acts of one nation in regard to another. This question was raised by the hon. and gallant Gentleman himself. I did not rush unexpectedly forward and tumble a correspondence upon the table. I was listening to the details of the Army Estimates, without the remotest intention of taking part in the discussion, when, in reference to the Caffre war and the officers engaged in it, the hon. and gallant Member himself called the attention of the House to the services rendered in China. Upon that occasion I said that there was a line to be drawn between the one and the other, because in the one case the officers had acted under lawful and in the other under unlawful orders. My observations were consequently directed, not against the officers employed, but against their employers. [*Lord John Russell here entered the House, and took his seat on the Treasury Bench.*] I am glad at length to see the noble Lord in his place. I invite the attention of the noble Lord, who is a constitutional authority, to the question we are now discussing, of the lawfulness of orders for making war. I had not in my mind, on the occasion to which I refer, any individuals; but certainly it was my duty as a representative in this House, before voting money to be expended for such purposes, to do my best to call the attention of the Government and of the House to the possible lawlessness of the service on which those men might be sent; and this was an act of mercy to them to prevent them as well as the nation from being subjected to the disgrace and guilt of such acts. My observations, moreover, were addressed to the noble Lord at the head of the Foreign Department; and yet the hon. and gallant Officer brings the charge against me that I had taken the occasion of his absence to make such statements and allegations. I trust I have satisfied the hon. and gallant Gentleman that I was not guilty of what he attributed to me; I trust, also, that I have made it clear to him, both from what I have stated regarding the motives which have led me to enter upon this investigation, as well as from the particular reasons which induced me to make the remarks in question on the Army Estimates, that I have no personal feeling in this matter; that I am moved by no other feeling than that of deep shame for my country's guilt, and by a desire at all events to rid my own conscience from a share in it. I may further add, that if there could be one circumstance which I could have desired to be my fate and fortune, it would be to have been an officer employed in any one of those unlawful expeditions, that I might, by bearing testimony to the law by my own blood, have redeemed the nation from this delusion. I further say, Sir, that I have not lived in vain since I have raised this question—the legality of war—in the Senate of this nation, and denounced in its own face its crimes in the hour of its guilt and folly.

Sir, the question of the lawfulness of the order depends not upon the authority from which it emanates, but on the character with which it is invested. The order to a military man to draw a weapon or to shed blood in a foreign land, must be the act of the Crown, accompanied with all the legal formalities which the wisdom of our ancestors has deemed necessary to surround and to check so awful a prerogative.

Lord JOHN RUSSELL: Sir, the hon. Gentleman is raising a very large question. We wish now to go into Committee upon the Navy Estimates, and I trust the hon. Gentleman will allow the Committee to proceed.

Mr. URQUHART: Sir, the noble Lord was not present when the hon. and gallant Gentleman behind him made the observations to which I reply. The noble Lord was not present when I gave way with every desire not unnecessarily to interfere with the public business, and postponed my Motion. I therefore deserve, I think, the indulgence even of the noble Lord. I had characterised certain acts in a certain manner, and the hon. and gallant Gentleman tells me that I had no right do so; but he has not so much as touched on the ground of that qualification. The hon. and gallant Gentleman says these officers acted under lawful authority, and he does not know what lawful authority means. He says that he would act in obedience to a superior. An order has to be lawful in itself before it can be lawfully obeyed; and

I appeal to the hon. and gallant Gentleman, would he, as a military man (and I believe that military men understand much better than civilians their rights and duties, and have some sense of discipline which civilians have not), take upon himself the responsibility of firing upon a crowd not offending him unless the magistrates had interfered, and unless the Riot Act had been read? Is he so little of a soldier as not to know that he is responsible for every act he does? and that when he has not the due warrant he cannot touch one of his fellow-citizens in the streets, nor use the weapon that is hanging by his side? Is he to suppose that any authority is to justify him when he goes forth with thousands and tens of thousands to attack a whole people, and that such an act is not horrible unless sanctioned by the law and with the warrant of the Queen? If the hon. and gallant Gentleman will answer me one question, I am content to leave the subject. If he will say that he has the right at home to use his weapons without warrant, I will not add a word more; and on the other side I shall not add one word more if he says, "I know I have no authority to act as a soldier unless I am authorised by the civil power." That position no military man will deny in regard to home affairs, and the same rule must hold with respect to foreign affairs. That which is the Riot Act at home is the proclamation of war abroad.

SIR DE LACY EVANS: The hon. Member says he will be satisfied if I answer his question; I therefore tell him that I should not act against a crowd unless the Riot Act were read.

MR. URQUHART: Sir, I close now my argument. I have here the judgment of Chief Justice Tindal in reference to the affairs of China; but I prefer the judgment of the hon. and gallant Gentleman, who has no crotchets such as might be attributed to that learned Judge or to myself.

CAPTAIN HARRIS: Sir, I rise to order. I do not think we need have a chapter of Grotius or Vattel read. [*Cries of* "Oh!" *and* "Order!"]

MR. HUME: Sir, I do not agree in every particular with my hon. Friend (Mr. Urquhart), but I nevertheless go along with him to a great extent. I think the observations which have fallen from him of very great importance, and I think that he ought to bring on this subject separately, and not mix it up with these Estimates, because the operations, as far as the Navy concerns have been conducted, are regulated under lawful orders. The question to be considered is the conduct of those who have issued the orders; and I promise my hon. Friend that if he will bring the subject forward as a separate Motion, I will give him my assistance. I think it better not to mix up this question with the Navy or Army Estimates. If the Navy or Army have acted wrong, they may have done it with no idea of its being illegal. I apprehend that those who have acted illegally in the first instance ought to be brought to justice, and not the gallant officers who have carried the orders into execution. I agree with my hon. Friend that it is a question of vast importance, involving as it does the law of nations; I therefore hope he will postpone his observations now upon these Estimates, and take another opportunity of introducing them by way of Motion. I dare say he will find an opportunity before the Session is over.

MR. URQUHART: Sir, I am very much indebted to my hon. Friend (Mr. Hume) for his suggestion. If my hon. Friend had attended to what I have said, he would have seen that I was proceeding not to quote the authority of Grotius or Vattel, but that I preferred the authority of the hon. and gallant Gentleman the Member for Westminster (Sir De Lacy Evans). The noble Lord (Lord John Russell) two nights back gave me an answer with which I was forced then to be content, and which I wish now to record. I stated to the noble Lord that I should divide the Committee on every item of the Estimates, unless I had the assurance from himself that the Navy would not henceforward be employed unlawfully; and the noble Lord on the third occasion of my asking made this answer—that the Navy "would not be employed except according to the law of nations." I believe that this was the statement of the noble Lord, and if I am wrong I beg to be corrected. Now, then, I beg that the fact may be borne in mind—I have obtained that assurance from the noble Lord, that the troops of Her Majesty are no longer to be employed in violation of the law of nations, From the hon. and gallant Member for Westminster, I have got the judgment that the Riot Act is required to legalise force. Now, I assert, in like manner, that it is against the law of nations to draw a weapon against a foreign Power without a formal declaration of war.

Subject at an end.

SUPPLY—NAVY ESTIMATES.

Mr. WARD moved a vote of 139,350*l.* for salaries of officers and contingent expenses of Her Majesty's naval establishments at home.

Mr. HUME observed, that in very many of our dockyards the salaries of the superintendents and petty officers exceeded the amount of money paid to the actual workmen; and he concurred in the opinion of Sir J. Barrow that our dockyards were overstocked with superintendents and petty officers. A great deal of money, too, was spent in building ships, a great many of the ships so built never going to sea at all, but being kept rotting in ordinary.

Mr. WARD said, the present Board of Admiralty was most anxious not to incur any expenditure without producing desirable public results. The larger class of French ships had made it necessary, looking to the possible contingency of a rupture, to make successive changes in the class and rating of our ships, so as to enable our sailors to meet a gallant enemy fairly on equal terms in case of aggression. He hoped when they again met, hon. Gentlemen would find that every recommendation of the Committee which could be safely adopted would be carried out and acted on. Our power in sailing vessels was indisputable; but we might have an irresistible fleet of sailing vessels lying windbound and absolutely useless without steamers to bring them to bear on a hostile force. The invention of steam had brought other countries more on a level with us; and if we had not placed ourselves in the position we now happily occupied by a large increase in our steam navy, it might truly have been said, as it was said by the hon. Gentleman (Mr. Cobden), that "the invention of steam was a curse instead of a blessing to this country." Thanks to the exertions of two successive Boards of Admiralty, we could now bid defiance to any foe.

Mr. COBDEN could by no means admit that the invention of steam had placed other countries on a level with England, abounding as she did with iron and coal, which formed the chief elements of efficiency in that arm of the naval service. It was utterly ridiculous for the hon. Secretary to the Admiralty to state that the invention of steam had placed this country relatively in a worse position than our neighbours.

Vote agreed to.

Several other votes agreed to.

At three o'clock,

Mr. HUME thought it would be very desirable that the Chairman should resume the chair at five o'clock, without reporting progress, in order to avoid the discussions which might take place on the Motion of again resolving into Committee of Supply.

Chairman left the chair.

House adjourned till five o'clock. At five, House again in Committee of Supply.

The CHAIRMAN having resumed his place, put the question that a sum of 557,213*l.* be granted to Her Majesty for the expense of naval stores, and for the building and repair of ships.

Sir C. DOUGLAS wished to call attention to the course which had been taken in Committee to-day. After the suspension of the sitting, the Chairman, without having previously reported progress, had resumed the chair. His object in calling attention to the subject was merely to afford the noble Lord opposite an opportunity of stating that this was an extraordinary case, in order that it might not be drawn into a precedent. He believed that, if the business of the House had proceeded in the usual course, it had been the intention of an hon. Gentleman near him to put an important question to the President of the Board of Trade with reference to railways.

Lord J. RUSSELL observed, that a general desire had been expressed at the early sitting that the Chairman should resume the chair in Committee at five o'clock, in the same way as was done by the Speaker after the morning sittings of the House. He had consulted the Speaker to ascertain whether there was any objection in point of form to such a proceeding; and that right hon. Gentleman expressed his opinion that the Chairman of a Committee of the whole House might resume the chair under such circumstances. The right hon. Gentleman said, however, that he was not aware that there was any precedent for such a course, and that if there was any objection, the better plan would be not to press it. There did not seem to be any objection on the part of any Member of the House to such a course being taken; but if any objection was felt, he (Lord J. Russell) would at once move that the Chairman report progress.

Vote agreed to.

On the question that 519,740*l.* be granted to complete the sum necessary to defray the charge of the half-pay of the officers of the Navy and Royal Marines,

CAPTAIN PECHELL called the attention of the House to the case of commanders and lieutenants. From the state of the half-pay list, promotion was absolutely at a stop as far as the great bulk of those deserving and meritorious officers were concerned, and they saw themselves excluded from all hope of rising to a higher grade in their profession. There were 879 commanders, 96 of whom were on full pay. The first 150 on the list received 10*s.* a day, the remainder 8*s.* 6*d.* The fifty commanders who retired as captains under the Order in Council, in 1840, on 10*s.* 6*d.* a day, ought to receive something like the upper class of masters, say 12*s.* 6*d.* a day; and he would suggest that to the fifty senior commanders of the 150 who had retired as such, a similar allowance of 12*s.* 6*d.* a day should be awarded. With respect to the lieutenants, he would abolish the difference between the two classes. He would have both lists amalgamated, and to all he would grant a respectable retiring allowance. He suggested that the money now paid to admirals and captains as freight on money should be appropriated to this purpose. There was another class of officers—the paymasters and pursers—who were fairly entitled to a favourable consideration. They were 300 strong, and yet the retired list only numbered thirty. He would increase that list to fifty, and give them all a decent allowance. He threw out these suggestions with the best possible intentions, and he hoped that they would be received in a corresponding spirit.

MR. WARD gave the gallant Officer credit for the best intentions, but was not quite sure that his plan would be found very practicable. As for the lieutenant-commanders, he did not think that they were quite as badly treated as the hon. and gallant Gentleman appeared to suppose. It should be borne in mind that those of them who retired as commanders in 1815, did not serve one day in that capacity. They received their promotion and their half-pay allowance accordingly, in full acquittance of all claims. Of those who had retired as lieutenants, 116 had served less than one year; 102 less than three years, and 109 less than four years.

MR. HUME regarded this vote as one that ought to receive particular attention. It was a very serious thing to the public interest that the perpetual half-pay should be very nearly equal to the whole of the active pay; and if the ordinary service were reduced to what it was in the year 1845, the whole of the active full pay would little exceed the half-pay of the present time. By a rule of the Admiralty, passed in 1830, the promotions were to be restricted to one for every three vacancies that occurred. Now, according to a return which was laid before the House on the 30th February, 1847, it appeared that 245 vacancies for flag officers had occurred, and instead of 81 promotions, which was the proportion allowed by the Admiralty's rule, 189 had actually taken place. Why, he asked, should the rule have been broken through in this manner? Again, 316 vacancies for captains had been filled up by 365 promotions; whereas, the proportion, according to the rule of 1830, ought to have been only 105. What was the use of laying down rules if they were to be violated in this way? Again, 315 commanders had died within the same period, and no less than 685 promotions had been made; which, instead of being one for every three, as required by the rule, was actually in the proportion of two for every one that died. Again, 1,049 lieutenants had died, which, including 48 for the coast-guard, would have called for, agreeably to the rule, only 397; but what was the fact? Why, as many as 1,224 had been made from the date of the order to limit the promotions. There could be little use for rules if they were to be set aside in this manner. He did not, however, blame any particular Admiralty, because all Admiralties were the same. Their political situation unfortunately obliged the Government to reward services by an addition to the pension list. Every promotion in the Navy was an addition to the pension list. The Committee had recommended that they should be reduced from 150, the present number, to 100; but the Admiralty, he understood, were not disposed to adopt this recommendation. At present only 14 admirals were actually employed; and he believed that even to leave 100 upon the list would be a larger number than was necessary.

ADMIRAL DUNDAS said, the hon. Member for Montrose's figures were incorrect;

and in fact the rule relative to promotions had steadily been adhered to.

Captain BERKELEY said, the hon. Member for Montrose had omitted from his calculation those officers who had forced themselves into promotion by gallant services in every quarter of the globe.

Vote agreed to.

Other votes agreed to.

MISCELLANEOUS ESTIMATES.

Mr. PARKER moved the first of these estimates, which was for 40,923*l.* to complete the sums necessary to defray the expenses of works and repairs to public buildings, furniture for various public departments, the maintenance and repair of royal palaces and gardens, formerly charged on the civil list.

Mr. VERNON SMITH said, considerable sums had already been voted on account, and the remainder was so small that the House was hardly in a position to make any reduction. Since the original estimates were presented, however, a considerable reduction had been effected by the Chancellor of the Exchequer; and the whole must come under review next Session. Generally speaking, the result of the inquiry by the Committee over which he had the honour to preside was, that in all the public departments there was wanting a proper financial check upon the expenditure. Where or whence that check could be obtained it was difficult to say; but he trusted that in the recess the subject would occupy the deliberate attention of the Government. That reductions could be effected in the miscellaneous expenditure was proved by the fact that since these estimates had been presented, they had been reduced very nearly 250,000*l.* There was a want of supervision on the part of the Treasury before the estimates were produced; but he must say, as at present constituted, the Treasury had a great deal too much to do. A large part of the expenditure, too, was practically exempt from Parliamentary control. This was a subject requiring consideration. Another subject also requiring consideration was the amount of public salaries. There had been an indisposition on the part of the Committee to deal with individual salaries, considering that regard should be had to them as a whole. He hoped to hear from the Under Secretary of the Colonies that a great deal of the expenses of the colonies might be borne by themselves, and that less might consequently devolve upon the mother country. He hoped to hear likewise from his right hon. Friend the Chancellor of the Exchequer what portion of the recommendations of the Committee on the Miscellaneous Estimates would be adopted by Her Majesty's Government in future Sessions? In what department would they make revisions? And what portions of the recommendations of the Committee, if any, would be rejected?

Mr. OSBORNE said, he always thought that when a Minister of the Crown wanted a vote for the miscellaneous estimates, he came down to that House and made a statement. They really never stood more in need of explanation; for the report before them, whoever drew it up, was most unsatisfactory. After setting forth the salaries of the Ministers and high officers of State, it recommended merely that the salaries of a few clerks should be reduced; and upon the subject of Ireland, one of the recommendations was, that Queen's plates should be abolished. So much for the report; as to the item under consideration, it was the most disgraceful estimate that was ever brought before the House. They found in it Windsor Castle, the Horse Guards, and the Hackney-coach office in Essex-street, Strand, all mixed up in most inextricable confusion. There was one item in it, too, regarding which he wanted some explanation. They ought to know what was meant by the museum of economic geology. He wanted more details. Any gentleman would be ashamed to have such an estimate regarding his own private establishment presented to him. He said it was a fraudulent estimate; and when they came to the item of the palm-house, at Kew, he would prove it. He hoped the House would not pass the estimate in its present shape; and he trusted that some Minister of the Crown would tell the Committee that at least for the future they should have the estimates presented in a different way.

Mr. HENRY DRUMMOND would not follow the hon. Gentleman's example in "badgering Her Majesty's Ministers;" but, in duty to his constituents, he should offer a few observations. He was called upon to vote upon a document on which it was impossible for him to form an opinion; he not having the means of forming an opinion upon any single item on the paper. He would just draw attention to one item, in which two matters most incongruous were placed together, and which had struck him only that morning. It was this, "oil and gas lights for the Houses of Parliament, and St. Martin's public baths and washhouses." It was all carried out in one sum. The hon. Member also objected to many items of the estimates, that they concerned the private expenses of the Royal Family. He knew there was no one so ill served, and no one so grossly cheated with things which they were pledged to pay for, as the Crown. Some years ago he had been at Windsor, and he there saw a stable which had been built for Her Majesty, and which was not larger than many similar buildings belonging to noblemen. He inquired the cost, and was told that it was 70,000*l.* He believed any one would have paid dearly for them at half the money.

The CHANCELLOR OF THE EXCHEQUER, with regard to the observations of the hon. and gallant Member for Middlesex, must say, that in his experience of Parliament, which was somewhat longer than that of the hon. and gallant Officer, he had never heard of a Minister or a Chancellor of the Exchequer coming down to that House and making a statement on the miscellaneous estimates. There were no less than 113 different items in the estimate he held in his hand; and it would be impossible to make any general statement with regard to them. As to the remark of the hon. Member for West Surrey, there were items still more dissimilar in character than those he had mentioned to be found classed together. But had the hon. Gentleman exercised a little of that common sense for which his speeches were generally distinguished, he would have seen that they were by no means so incongruous as at first sight might be imagined. As to the report of the Committee of which his right hon. Friend behind him (Mr. V. Smith) had been Chairman, he thought it of considerable value. But he candidly admitted that out of the mass of matter presented to them for consideration, it would have been impossible for them to have made a perfect proposition. Still it was quite clear that a great reduction of expenditure might be made by the Executive Government. And he (the Chancellor of the Exchequer) had said, when moving the appointment of the Committee, that that appointment would not relieve the Government from their responsibility. With regard to the checks that should be exercised by the Treasury, he observed that the miscellaneous estimates were not presented in detail to him (the Chancellor of the Exchequer) before they were first presented to the Committee. When they came before him he pared them down, and he thought he might have credit for the pretty vigilant control which he had exercised; and almost the first thing he had attended to was the sums charged upon the Consolidated Fund. But the pressure of Irish affairs, and the business of Ministers in that House, had so occupied their attention, as nearly to prevent them attending to anything else. With regard to any particular items on which special information should be required, he thought it better and more satisfactory that they should be dealt with separately, than alluded to in any general statement. That was the mode in which the miscellaneous estimates had been hitherto always treated, and it was the only way in which they could be properly dealt with. And he, and the Under Secretary to the Treasury would be, he trusted, found prepared to give the utmost satisfaction on each item as it should be brought forward.

DR. BOWRING said, he wished, as a Member of the Committee, to explain that there was no part of the estimates in which it was possible for the Committee to have entered into details. Under each head there were ten or twenty different topics that ought to be inquired into. There were in all, he believed, 116 special subjects referred to the Committee; and of these there were sixty or seventy that would each have required all the time that the Committee had been able to devote to their whole task. The inquiry had served to convince him the more strongly of the truth of Lord Congleton's remark, that until Parliament were able to control the whole amount of the public expenditure, and got possession of the whole of the public receipts, financial reform on a grand scale could not possibly be effected. Under the circumstances the Committee could not possibly have produced a satisfactory report. In the item before the House, for instance, how were they to know how much of the vote should be given for Buckingham Palace, and how much for Windsor or other royal residences? If they could have visited the localities, and looked into the contracts, they would have made their report more satisfactory to themselves and to the House. They were thus necessarily compelled to leave the details in the hands of the Executive. The persons who came before all such Committees were invariably the officials who were desirous of getting the full amount of their estimates. The details were thus thrown upon the Treasury, which was overwhelmed with work, and unable to devote the necessary attention to them. The right hon. Baronet had admitted that evening, that for the last two years the Treasury had been absolutely broken down with business that poured upon it from Ireland. Another great evil was the absence of any central accountancy. There were no books existing to which the Chancellor of the Exchequer could refer, in which he would find the whole receipts and expenditure of his department set forth, as a banker or merchant would have for his private business. Parliament ought to have before it the whole receipts of the year in every department, including the expenses of collection and the amount of fees received in the courts of law and elsewhere. Such a system ought to be introduced, and it should be a rule that none of the receipts could be applied to any purpose whatever without the previous sanction of Parliament being obtained. While making these remarks, he begged to say that he should be unworthy of a seat in that House, unless he bore testimony to the great kindness and attention shown by his right hon. Friend the Chairman of the Committee throughout the inquiry, and to the willingness with which he had listened to every suggestion that had been thrown out by the other Members. But still there was no denying but that the report, as regarded its practical results, was most unsatisfactory. It was so, however, not from any fault of the Committee, or from any failure or inattention on the part of the Chairman, but from the impossibility of going into the details. On some of the subjects that had been referred to them, separate Committees had been appointed; and on others, more especially on the whole question of the Exchequer, he hoped that a full investigation would be instituted. However unsatisfactory the report of the present Committee might be, there were, at all events, some important improvements suggested in it which he hoped would not be lost sight of.

Lord JOHN RUSSELL did not think that it would be a convenient course, with respect to the miscellaneous estimates, to follow the example of his hon. Friend the Secretary for the Admiralty, as regarded the Navy Estimates, as the former involved so much matter of detail, so that it would be better to give every explanation that might be required upon each particular item. It was very proper, however, with regard to the Admiralty, as the expenditure in that department affected a great branch of the public service. If, however, they attempted to go through an introductory explanation of the various items of the miscellaneous estimates, it would involve considerable delay, as the heads of several departments, as well as his hon. Friend the Secretary for the Treasury, would have to enter into explanations. The hon. Gentleman had complained that a number of votes was placed on the Consolidated Fund which ought to have been inserted in the estimates. His right hon. Friend the Chancellor of the Exchequer had already stated that during the vacation he would consider the votes which should be placed on the estimates, and the charges which should remain on the Consolidated Fund. He thought that it would be unadvisable that they should at present do more than proceed to consider the different items in the estimates, instead of calling for general explanations from each department. The hon. Gentleman had said that each vote should be more fully considered; but at this period of the Session, with the number of Bills which they had before them, as well as other business which hon. Members brought forward, he did not conceive that there would be time to carry any measure if in every instance they were to stop for consideration. With respect to salaries, in 1831 a Committee sat on this subject, and he thought that they had settled the matter in a satisfactory manner.

Mr. BANKES said, that the House was not to blame that there was a delay in voting the estimates, for the Government had taken their own course as to the time of bringing them forward. He should dismiss all complaints as to the delay created by objections, as if the estimates had been brought forward in the month of February instead of the month of August. Among other charges, he found one for the Pavilion at Brighton; but every one knew that it was no longer in a condition for the residence of the Royal Family; and certainly, from what passed some time ago they ought to have reason to believe that that property would be made a matter of revenue instead of expense. Then, again, the charge for providing temporary accommodation for the Houses of Parliament appeared to be most enormous. He found that one of the charges was "for the probable expense that will be incurred for taking up haircloth, mats, &c., and cleaning dirt from under the House, which will be required from time to time to make good what is worn out, 1,150*l.*;" and this, with the hire of chandeliers for the temporary residence of the Speaker, amounted to 1,410*l.* Then, again, the Government were taking into their occupation large houses in the neighbourhood of the Houses of Parliament. Such was the case with Gwydyr House, and several other mansions formerly occupied by noblemen. No adequate advantage to the public was derived from the occupation of such places. The whole matter involved a series of expenditure which might be checked without the slightest injury to the public service.

VISCOUNT MORPETH agreed in the report of the Select Committee, that all the particular buildings which were the subject of this vote should be enumerated, and that they should put down the specific sum allotted to each of the Royal Palaces, so that the House might know what sums were expended for the comfort and accommodation of Her Majesty, and what for the innocent recreation and enjoyment of Her subjects in those places which were thrown open to the public. With respect to the Pavilion at Brighton, it was not intended to expend upon that building any more than was necessary to keep it tight, and to keep the rain out. It was now cleared of all its furniture, and the Office of Woods and Forests had called for and obtained a report upon the best mode of disposing of the site. It appeared that there was some difficulty in giving a proper title, which might render the intervention of Parliament necessary. An undertaking was on foot to repair the very interesting and beautiful ruin of Lanercost Abbey, in Cumberland, with a view of preserving from ultimate ruin and decay this, among other interesting specimens of antiquity in the possession of the Crown. A small sum was therefore voted in aid for the repair of Lanercost Abbey; and it was intended, also, to vote a small sum for Carisbrooke Castle and Caernarvon Castle. With reference to the number of buildings engaged for the accommodation of the different offices and commissions, for which rent was paid, it did amount to a great sum, because the increasing business of the country required an additional number of buildings devoted to these purposes. It was thought necessary that these offices and houses should be in the vicinity of the Houses of Parliament; and the houses in that neighbourhood, as they all knew, fetched a much greater rent than in the remoter parts of the town. A large sum was annually demanded for the expenses of these offices and commissions, and he sometimes felt that the vacant space of ground near the Foreign Office would be well devoted to an edifice capable of accommodating in a simple and substantial manner these various offices and commissions. In the present state of the finances, however, it would not perhaps be advisable to incur the expense of such a building now, whatever the ultimate saving of such an edifice would be. It was not, therefore, thought right to propose a large sum for any building not absolutely required; and it was considered better for the present to go on paying rent for the houses required for offices and commissions.

SIR R. H. INGLIS thought it very desirable that the large and at present unsightly area on the south side of Downing-street should be appropriated for the erection of a plain, solid, substantial building, for all the commissions appointed, so that it should not be necessary to have recourse to the occupation of houses in George-street, or elsewhere, for them. There ought also to be a building more worthy of the important business transacted in the Foreign and Colonial Offices; it was to be hoped it was not generally known that the Foreign Office of England consisted of five separate private dwelling-houses, in such a ruinous state that the documents of the department had to be removed a floor lower because the weight of them would hazard the stability of the building.

Vote agreed to.

Other votes agreed to. House resumed. Committee to sit again.

House adjourned at Two o'clock.

HOUSE OF LORDS,

Monday, August 14, 1848.

MINUTES.] PUBLIC BILLS.—1ª Fisheries (Ireland); Turnpike Acts Continuance; Poor Law Union District Schools; Money Order Department (Post Office); Borough Incorporation.

2ª Parliamentary Electors; Proclamations on Fines (Court of Common Pleas); Churches; Turnpike Roads (Ireland); Constabulary Force (Ireland).

Reported.—Unlawful Oaths Acts (Ireland) (Continuance and Amendment); Reproductive Loan Fund Institution (Ireland); Militia Ballots Suspension.

3ª and passed:—Bankrupts' Release; Ecclesiastical Jurisdiction; Loan Societies; Highway Rates.

Royal Assent.—Rum Duties; Assignment of Ecclesiastical Districts; Land Tax Commissioners' Names; West India Islands Relief; Administration of Justice (No. 1); Administration of Justice (No. 2); Protection of Justices from Vexatious Actions; Administration of Criminal Justice; Canada Union Act Amendment; Joint Stock Companies; Salmon Breed Preservation; Paymaster's Offices Consolidation; Prisons; Sale of Beer Regulation; Naval Medical Supplemental Fund Society; Windsor Castle and Town Approaches Improvement; Regent's Quadrant Colonnade; Exchange of Advowsons in the Counties of Warwick and Stafford; Exchange of Ecclesiastical Patronage between Her Majesty and the Earl of Leicester; Public Works (Ireland) (No. 2); Evicted Destitute Poor (Ireland); Ecclesiastical Unions and Divisions of Parishes (Ireland); Incumbered Estates (Ireland); Juvenile Offenders (Ireland); Law of Entail (Scotland); Highland Roads and Bridges (Scotland).

PETITIONS PRESENTED. From the County of Mayo, and Derry and Raphoe, for the Amendment of the Poor Law, Ireland.—From Meath and Westmeath, for a Revision and New Arrangement of Electoral Divisions, Ireland.—From the Clergy of the Diocese of Armagh, that no Relaxation shall take place in the Law of Marriage with reference to Degrees of Kindred.—From Protestant Inhabitants of Ardagh, against the Present System of National Education, Ireland.—From Parochial Authorities of various Metropolitan Parishes, for the Prevention of Sunday Trading.—From Drogheda and Bettystown, complaining of the Closing of the Railway Station, and praying for Relief.

UNLAWFUL OATHS ACT (IRELAND) CONTINUANCE AND AMENDMENT BILL.

On the Motion that the House be put in Committee,

The EARL of SHREWSBURY: My Lords, as the observations I have to make in accordance with the notice which I gave, apply most particularly to the principle of this Bill, and to the circumstances which it regards, I trust your Lordships will now bear with me for a few moments whilst I very briefly state my impressions on the past and present policy towards Ireland. No one will rejoice more than I shall, if, in some respects, those impressions may be shown to be erroneous.

In the first place, my Lords, allow me to add my tribute of respect and admiration for the conduct of the Lord Lieutenant throughout the whole course of his arduous administration—a conduct, I think, the best that could have been pursued, since it was a course of beneficence, peace, and conciliation, deserving of a very different reward. My Lords, if ever a doubt crossed my mind upon the subject, certainly it was not as to the just and liberal views and kindly disposition of Lord Clarendon—quite the contrary; it was whether his forbearance were not excessive, and whether those same measures of repression which were at length resorted to might not have been still more advantageously employed at a still earlier period. Concurring, then, as I did, in the necessity of a system of immediate and determined repression—a system of which this present Bill seems to form so appropriate a part, without, however, I hope, the necessity for the noble Earl's (the Earl of Glengall's) Amendment, seeing that the Repeal Association may be considered as virtually extinct, and not likely to be revived—concurring, then, in the necessity of repression when the suspension of the Habeas Corpus Act was proposed, still, whilst we were fulminating our anathemas, and very justly so, against the treason and the traitor, yet I felt that we were bound to exhibit at least an equal degree of alacrity in searching out the causes of that awful mischief with which we were about to grapple, and with which we have still to grapple—for though the rebellion be subdued, the disaffection and excitement remains—and at the same time to begin to apply a sound and permanent remedy to the evil; for, my Lords, I will not believe that these things can exist without a cause, or that that cause is beyond the reach of legislation. My Lords, if others have the power to hurt, we have the power to heal; or we are worthless. When one comes, then, to consider why it is that these unusual and restrictive measures are for ever necessary in Ireland, one cannot but attribute it to that same pervading and perpetual cause of all the miseries of that afflicted country—to that very cause itself—namely, that in Ireland there ever has been, and still is, a government of force instead of a government of opinion. Such, my Lords, was the deliberate opinion of the present Prime Minister of the Crown, and solemnly delivered as such, on the 13th of February 1844. Can any one in his senses form any other judgment now? We have now precisely—almost precisely—the same state of things as we had then; can any one wonder we have the same results? Yes, my Lords, Ireland is still occupied, not governed. Nay, since that period, the number of Coercion Bills has been gradually increased, the number of troops has been greatly augmented, the law has all along been still more frequently enforced at the point of the bayonet, till now, the whole country is a garrison, the last remnant of her liberties has been struck down, and that terrible outbreak which was then only foreshadowed in the distance, has actually come to pass; that is, terrible it would have been had it not prematurely exploded, and been crushed in the outset. Her municipal rights, her elective franchise, her Parliamentary representation, that baneful competition for land on the part of the poor, that temptation to and facility for eviction on the part of the landlord—those prolific sources of crime and misery—that enormous amount of waste and unprofitable land within reach of an idle, teeming, and famishing population—the state of her grand jury laws, by which much of that evil might be remedied—the comparatively neglected condition of mines and fisheries—in fine, every grievance, both social and political, remains almost precisely where it was. We have had, too, the same system of Government prosecutions, quite necessary under the circumstances. I am not complaining of it, I only state it as a fact; but we have had the same system of Government prosecutions backed by the same system of jury packing, quite necessary also, if a conviction were to be expected, and as is again proved by the news of this very morning. Neither do I complain of that; but of this I do complain, that upon all these questions the feelings, and desires, and interests, and opinions of the people, have produced no effect; but one and all they remain almost precisely where they were when they were brought forward by the present Premier and his Colleagues, as so many proofs that in Ireland there was only a government of force; from which no good could come, instead of a government of opinion, from which all might be expected.

The only change — the only material change—that has taken place, has been by the passing of the new poor-law. That, my Lords, was a well-intentioned and beneficent measure, as were all the temporary measures which accompanied it, which did infinite credit to the Government and the Parliament, and merited a much better return. But the law itself, I think, in many cases inflicts a cruel injustice on the landlords, and a still more cruel injustice on the poor. In many cases, the poor-rates absorb, or very nearly absorb, the whole of the rental: can it then be just thus to confiscate any man's property for the fulfilment of an obligation which, under the circumstances — and I do not stand singly in this opinion—ought, I think, to fall on the community in general? for the consequence of the present state of things is, that war is made upon the poor; for either the landlord must be ruined, or the poor must be exterminated.

But, singular inconsistency in a law which professes to be an assimilation to the law of England!—the poor of Ireland are by law debarred from the enjoyment of the right which is undoubtedly by law conferred upon the poor of England—the right to subsistence. And it is notorious that very many of the poor of Ireland have perished miserably of absolute want; that they still continue so to perish, and with another potato famine staring them in the face. Many too have perished, and still continue to perish, by slow degrees, from insufficiency of food. Why, my Lords, one of the poor creatures killed the other day, near Ballingarry, was an ablebodied man, hired to break stones along the roadside for only one pound of meal per day for himself and his wife! No wonder, then, that he was so readily turned into a rebel. But most of all do they seem to have perished who were so barbarously and inhumanly evicted—evicted under sanction of the law, and often at the point of the bayonet, and driven helpless on a world in which they had no legal right to relief, and in which no preparation had been made to receive them in their distress! My Lords, it is in this state of things, and not in the preaching and teaching of sedition, that the danger lies; because justice has not been done; because those remedial measures recommended by some twenty different Parliamentary Committees, and Royal Commissions; recommended by every statistical and political writer for the last fifty years; many of them solicited, and still solicited by almost every grand jury in Ireland—measures so strenuously insisted on by the noble Lord at the head of the Government on the 13th of February, 1844; so earnestly re-insisted upon on the 15th of June, 1846; and promised—many of them promised—on the 16th of July of the same year; because these remedial measures have never yet been carried into execution, therefore the discontent, therefore the agitation, therefore the rebellion: because of the agitation want of confidence, want of capital, want of employment. In fine, the whole question resolves itself into this, and for this also I have the authority of the Prime Minister of the Crown, that up to this very day the promises and conditions of the Union have never yet been fulfilled, but there still is in Ireland a Government of force instead of a Government of opinion. Hence the disaffection, hence the rebellion.

But, my Lords, there is still another and a master grievance behind, and for this too I have the authority of the noble Lord at the head of the Government—and more especially, indeed, of the noble Earl the Secretary for the Colonies—a grievance incomparably greater than the rest, yet far more difficult, for me at least, to approach even in argument.

For, my Lords, I well remember when a noble Friend of mine, not now in his place, a Catholic Member of this House, now holding an honourable situation in Her Majesty's household — I well remember when that noble Lord ventured to express it as his opinion, that for the peace and security of the empire there should be a redistribution of the property of the Established Church in Ireland. I well remember with what vehemence a noble and learned Lord (Lord Brougham), whom I have not now the pleasure of seeing in his place —though sitting on the same side of the House as my noble Friend, and, as I would fain believe, holding the same opinions with him — I well remember with what vehemence the noble and learned Lord fell upon my noble Friend, and taunted him with the oath he had taken at your Lordships' table. My Lords, I am quite willing to admit that they who impose the oath have a right to its interpretation; but till that interpretation be formally defined in a contrary sense, I contend that we have a right to the largest interpretation it will bear—an interpretation fully recognised by the Lower House—to that in which we take it, namely that it nowise disqualifies us from any act or opinion which any one of your Lordships has a right to do or to hold as a member of the Legislature. Still, to enable us fully and freely to discuss that most vital of all questions, the Irish Church, without let or hindrance, my opinion is that the oath should either be altered or abrogated; so that no one's religious professions should, by any possibility, prove a disqualification to the full and free expression of his sentiments.

Whilst I am on this point, allow me, my Lords, one word more; for there are others also interested in this matter; and, if report speak truly, we are at this moment deprived of the presence of at least one Irish Peer in consequence, therefore is it especially applicable to this present case. My Lords, there is a portion of the Protestant oath to which Protestants object, and which, I think, ought to be expunged. It is also objectionable to Catholics. The noble Lord below me swears that the Pope neither hath nor ought to have spiritual jurisdiction within these realms. Now, my Lords, I am quite willing to swear precisely the contrary; I am quite willing to swear the affirmative of the noble Lord's negative; I am quite willing to swear it, not only as an article of faith, but as a matter of fact—as a great, palpable, and notorious fact. Can any thing, then, be more preposterous than to make such a test as this the qualification for the exercise of the same functions?

My Lords, so far from considering these religious differences and distinctions as a benefit either civil or religious, every day's experience convinces me more and more of the fallacy of that notion. My Lords, religion and liberty, in the words of a very celebrated political character of the day, are sisters who ought to live well and happily together, leaning on each other for support. Yes, my Lords, these religious differences and distinctions, and inequalities, are the bane and curse of this empire; they are the primary cause of all the miseries and of all the misgovernment of Ireland, and the sooner we get rid of them the better.

To take but one, but a very remarkable and a very apt illustration—an illustration of a state of things which, if it had not existed, there had been no occasion for the suspension of the Habeas Corpus Act—I allude to the trial of Mr. Meagher. My Lords, on the jury which tried Mr. Meagher there was but one Catholic; but because he was a member of a religion which for centuries had been persecuted with fire and sword, and which was still degraded and insulted, oppressed and tormented, that one individual rendered your law a nullity; he set the whole power of the Government at defiance, and impeded the whole course of your administrative policy in Ireland. To prevent a similar result in the case of Mitchel, you were compelled to exclude every Catholic from the panel, so that his conviction instead of good only produced evil; it only earned an additional meed of odium to the Government, and of hatred to the antagonistic and ascendant Church. My Lords, you may occupy, but you cannot govern, a country upon such a system.

My Lords, I verily believe there is nothing which has so provoked the cry for repeal in Ireland, and so militated against the social improvement of that country, as the continued refusal to reduce that Church within her fair and legitimate proportions. My Lords, I have no hostility to the Establishment as such—none whatever; but I am bound to regard it as a matter of justice and policy: yet even in that point of view, I am sure its destruction is by no means to be desired; its reconstruction would be a benefit to itself and others. Nor can I see any other means—any legitimate means—by which this question can be settled; for, there being property enough for both, it would be manifestly unjust to levy a tax for the purpose on England, Scotland, or even Ireland.

The noble Earl's proposition—the noble Earl's opposite, who some ten days since made some very pertinent and excellent remarks on this subject—the noble Earl's (Earl of Ellenborough) proposition would certainly form a very desirable accessory. Four millions and a half devoted to glebes would be a very nice arrangement, and some small compensation for past delinquencies. The plan, too, has the merit, I think, of being very feasible, and probably the only method of recovering the amount. For, the money being already settled upon the land, the value might be taken in kind, and thus prevent all further trouble and dispute. At all events, somehow or other, this question must be settled; for, in respect to the Catholics of Ireland, emancipation, without the settlement of the Church question, was only toleration, and a toleration which does not satisfy is of little worth.

Having said thus much, I will only trouble your Lordships with a very few concluding observations. My Lords, I do not accuse the Government of a breach of faith—I accuse them of a want of courage; I accuse them of a want of confidence in their own views. If those views were sound, as they must have believed them to be, they should long since have been reduced to practice. If they were sound in 1844, they were still sounder in 1848. If the late Government justly deserved reproach at their hands for having so long neglected to carry those views into execution, surely that same reproach must attach still more strongly to themselves; for they, at least, have ever been their most strenuous advocates. My Lords, I am sure it is their duty to make the attempt even at the risk of failing; for, if they failed now in attempting that which was absolutely necessary for the peace and security and prosperity of the empire, other means would very speedily be given them for the accomplishment of that great necessity. Of that necessity neither they nor any man can doubt—it is a necessity once more written in characters of blood, and with the victims of our misgovernment crying to heaven for vengeance. If failure it was to be, that failure would impart fresh life and vigour to the resuscitated spirit of Parliamentary reform, and a truer representation of the desires, and feelings, and opinions of the people would come forth to carry them on to a triumphant issue. But the course now pursued only drives liberty into licentiousness, and hope into despair; and if we are to credit statements said to have been made in another place, that same course is to be pursued still; that is, bit by bit ameliorations, far too tardy in their operation, and none of them of sufficient efficacy for the case.

My Lords, no doubt there have been faults, and very great faults, upon the other side too. Had the Irish, more particularly the clergy—of course I speak only of those who had joined the repeal movement, for there were always many, great, and honourable exceptions, and even many honourable exceptions amongst the repealers themselves—had they known when to desist; had they striven against the evil principle in its germ, as they have now striven against it in its maturity; had they abandoned that wretched system of political agitation, and had confined themselves to safe and wholesome methods of seeking the social improvement of the country, it seems morally impossible they should not have attained it. But a moral force agitation for repeal was a solecism in politics; it was a contradiction in terms; for repeal was a question which never could enlist the sympathies of those on whom that agitation was to take effect. It was sure to result in physical force—to delude the people, to excite the worst passions of the multitude, and to arouse the worst principles that ever were propounded. Of this, my Lords, I ever felt sure and certain, nor did I ever shrink from the open avowal of my opinions; but hence the danger and the misery of so long delaying those remedial measures for want of which that agitation was maintained. For their want of sense and prudence was no excuse for our folly and injustice; and surely the greater the evils arising from past misgovernment, the greater the obligation of applying a remedy now; but that remedy cannot be—it is impossible it can be—it is not in the nature of things that it can be—in mere coercion and restraint, in the continuance of a government of force, instead of the establishment of a government of opinion.

My Lords, it is painful to me to speak thus; but feeling so strongly as I do upon these questions—feeling as an Irish Peer, as one intimately connected with that country both by descent and alliance, though not possessing any landed property there—feeling as a Catholic, and also as an Englishman; for, if rightly understood, this is to the full as much an English as an Irish question—feeling all this, I could not rest satisfied that I was doing my duty without thus publicly protesting against the continuance of a system of government which has made Ireland our weakness instead of our strength—an outrage upon humanity, and a scandal to the world.

I have now only to express the most fervent hope that we shall hear from the Government some consolatory announcement.

The MARQUESS of LANSDOWNE: Although, my Lords, my noble Friend the noble Earl who has just sat down has not opposed your Lordships' going into Committee upon this Bill, or intimated his intention of offering opposition to any part of it, he has made some observations connected with the general state of Ireland which require that I should offer some general remarks. In the outset, I must state to my noble Friend that I protest against this Bill not being considered in the strictest as well as in the largest sense a remedial measure. I think I could prove to your Lordships, if I were to follow my noble Friend into detail, that as to every one of those measures to which he has called the attention of this House, and which he implored your Lordships to pass without delay for the benefit of Ireland, that I have a right to turn round upon my noble Friend, and say, that the delay originates in Ireland, and not in this House. My noble Friend has adverted to particular remedies, not as remedies to which this or the other House of Parliament have been inattentive; but, on the contrary, to remedies which, being difficult in their nature, have engaged the perpetual attention of both branches of the Legislature. One of them, for instance, was an attempt extremely difficult in its nature, because it was an interference with the relations between man and man, to alter relations as between landlord and tenant. I am not prepared to pronounce here an opinion upon a question not now before the House—the question of the degree in which such interference is advisable or practicable without affecting the existing relations of property; but, assuming that it is not only advisable but practicable, what, I ask, is the object of this Bill? It is to create inducements to improvement; to invite capital to enter the country; to give not merely to the landlord, but to the lowest tenant, a confidence that he will reap the fruits of his industry, and become, if that industry continues, rich in the possession of his improvements. But how can that Bill be carried into operation without the capital which is introduced into the country being placed under the protection of law? My noble Friend, referring to another question which is surrounded with difficulties, and which has engaged the attention of many able minds, says, "Cultivate the waste lands, and the bogs of Ireland, which you have neglected." Here, again, I ask, how can you do this without capital? And how can capital come into the country without the protection of the law? Then my noble Friend says, "Improve the franchise and the municipal corporations." These municipal rights are to be highly estimated; but if they are to be exercised under a tyranny, of what value are they? They are to be created, my noble Friend will recollect, in a country where faction is enabled to rule, and to declare to almost every individual, "You shall not vote as you like, but as we like." They are functions of the highest value when duly employed; but when abused they become obstacles to the attainment of the very objects which it is their aim to establish. I need not tell your Lordships it is not by conferring mere paper rights that the happiness of the people of Ireland can be advanced. You have seen throughout Europe enough of paper constitutions, professing to be founded upon the principles of individual freedom; but I will ask your Lordships what benefit has, in many instances, been derived from them? None to the individuals composing the community, none to that independence which is the greatest blessing men can enjoy, because in those countries factions were enabled to deprive the people of the whole benefit of the constitution so conferred upon them; and while they hung out the flag of public freedom, they were in fact an organised tyranny, depriving the people of the benefit of the constitution. I say, then, before you move in any one of those questions, and to confer the franchise on men who have hitherto not possessed it, you must take care to provide that the public law which protects the due exercise of that franchise shall be maintained. But my noble Friend says, "Do not govern by force, but by opinion." I admit you must consult opinion; but I say no Government can be carried on without the fear of the use of force, and that what there is of force must be upon the side of the Government. If there is a conflict between the forces of Government and any other, before you proceed further you must determine which force shall put down the other. I, therefore, again submit to my noble Friend that this is a remedial measure, inasmuch as it removes that which is a bar to improvement, that which resists the progress of those other remedial measures which are not withdrawn, but which were necessarily suspended during the period of such an agitation as that which has been unfortunately allowed to prevail in Ireland. I cannot agree with my noble Friend that there has not been more or less of success in proceeding with remedial measures. They have certainly encountered more or less of difficulty; but there has been a disposition in Parliament, above all in late years, to examine all those remedies, with a view to their adoption, and to the correction of evils which have been pretty generally admitted upon all sides of the House, but which, let me remind my noble Friend, are also admitted to be subject to great differences of opinion as to the mode in which they ought to be remedied. Even upon those very questions to which my noble Friend adverted, I have seen very little of harmony and uniformity among the representatives from Ireland, for whenever any of these measures have been brought forward, immediately there has been a difference of opinion among them. I am not surprised at it, from the difficulties that arise in all cases where you come to interfere with the existing relations of society. The moment you propose to interfere with them, difficulties arise, which might have been anticipated, perhaps, but which Gentlemen do not anticipate in the first instance. They show the difficulty of legislation upon these subjects, and in none more than in those to which my noble Friend has adverted. even among the representatives from Ireland—differences which do not lead me to anticipate the greatest unanimity in a Parliament sitting in College-green. These, therefore, are difficulties which it requires time to subdue and time to remedy. But, my Lords, I need only appeal to the proceedings of your Lordships and the other House under different Governments—I may say during the whole of the last century—to show that there has prevailed one constant, though not always successful endeavour to improve the condition of Ireland. Look at the measure relative to the eviction of tenants. I need not remind my noble Friend that within the last few weeks, and amidst all the existing difficulties, a Bill has been passed, after being altered in this House and in the other, the effect of which will be to prevent these evictions being attended with those fearful consequences to which my noble Friend alluded.

The Duke of WELLINGTON: The Bill received the Royal Assent to-day.

The Marquess of LANSDOWNE: And, as I am truly reminded by my noble Friend the gallant Duke at the table, this Bill received the Royal Assent this day. I need not remind my noble Friend, relative to the improved condition of property of which he has spoken as so desirable for Ireland, that we have taken the most practicable measures for promoting it by passing the Encumbered Estates Bill, which has also received the Royal Assent. I believe, in the opinion of my noble Friend himself, this measure is one of the most practically beneficial that could be produced, without injustice, for the due arrangement of property founded upon legal bases, and the introduction of capital and improvement. On the subject of Catholic disabilities, I need not state to your Lordships how different is the state of the Catholic in Ireland, now, from that which it was formerly. Have we not for a series of years been endeavouring to improve the condition of the Roman Catholics in that country? My noble Friend may perhaps think we might have carried our efforts still further. I may be disposed to think that in some respects they might; but because I think they might in some respects, I do not shut my eyes to the improvements which have been made in the condition of the Roman Catholics, to the condition of independence which enables them to participate in, and to influence, the counsels of this country—a condition which is as much at variance with what it was half a century ago, as the condition of the negro slave in the West Indies before emancipation, and the condition of an English freeman. Only within the last twenty-four hours I happened to meet with a newspaper of the year 1773, which showed to me the condition of the Roman Catholics of Ireland at that time under an Irish Parliament. In

1773 the Roman Catholics of Ireland, not being at that time able to hold any property whatever either in fee-simple or under lease, some bold and liberal spirits conceived the idea of enabling them to hold a little, not in fee-simple, but under lease only. They were not, however, bold enough to suggest an unlimited lease; it must therefore be for a limited period, a term of years, and only be for fifty acres; and even then it was stated fifty acres were too much in the neighbourhood of towns. It was consequently inserted in the Bill that in the neighbourhood of towns the Roman Catholics might be enabled, without danger to the constitution, to hold forty perches of land. Such was the limit to the liberality of the Irish Parliament at that time towards the Roman Catholics. When I first took up the paper I expected to have seen that this, at least, would have been carried. But no — Member after Member, orator after orator, got up on the point of the extreme danger of forty perches of land being held by Catholics near towns; and the result was, that Bill, leases, and perches of land were thrown out altogether. Thus it was thought right in Ireland that three-fourths of the people should remain prohibited from holding land by lease or purchase. Yet we are told we have neglected remedial measures, in first admitting, as we did, Roman Catholics to the benefits of the social system of Ireland; and, finally, under the auspices of the noble Duke (the Duke of Wellington), practically to all the political benefits of the constitution. But although these great steps have been taken, I will not draw from thence the conclusion that nothing remains to be done; but I do draw the conclusion that, in the judgment of every candid mind, it is impossible to assert that there has not been a disposition on the part of Parliament to improve the condition of Ireland. Why, we are actually engaged in that process now. We have been, in this very Session, pursuing that course; and the only main difficulty and bar that has arisen beyond the difficulties arising out of the complication of each particular case, has been the unfortunate disposition to rebel in Ireland against all law, which, till the empire of law be established, cannot be otherwise than ruinous to all the best interests of the country. I am, therefore, confident that my noble Friend will not only show no disposition to oppose this Bill, but attached, as I know him to be to the cause of law and order, I submit to him that the best mode of advancing that cause would be to establish law and establish order, and then resume, as I trust we shall, the consideration of all those great questions which will engage the attention of Parliament as well as the Irish part of Her Majesty's subjects.

The Duke of WELLINGTON: I have been anxious, my Lords, to give my support to the Bill introduced by the noble and learned Lord upon the woolsack; and I should have given that support before, if I had been in the House. I rose with my noble Friend the noble Marquess to support it; but as he is a Member of Her Majesty's Government, I felt it to be my duty to give way. I rose, my Lords, also to make some observations upon the speech of the noble Earl, which was to the effect that previous to this measure, which is the complement of those introduced by Her Majesty's Government, in order to put down open rebellion, remedial measures should be adopted. That the noble Earl should have stated a list of Irish grievances, and of remedial measures that ought to be adopted previous to such a Bill as this which is proposed by Her Majesty's Government, is perhaps perfectly natural; but the question before your Lordships is neither more nor less than this—whether this measure is not necessary in the first instance. This Bill is a Bill to amend and continue different Acts of Parliament, having for their object to put down secret societies in Ireland—secret societies which were known to prevail, and to have been the means of arming, promoting, and carrying on the open rebellion which took place in that country fifty years ago—secret societies which again prevailed in that country forty years ago, and were the grounds and causes of that Act of Parliament which is now proposed to be continued—secret societies which again prevailed at different subsequent periods, and required an Act of Parliament, having for its object to put them down. And now, my Lords, in the reign of the existing Sovereign, laws have to be passed to put down these same societies. We have them now in a new form—in the form of clubs—prevailing all over the country, which clubs, it is very obvious, my Lords, are or may be the means of bringing in invaders, and of carrying on war against Her Majesty's Government in that country. These clubs can only be put down by means of the Bill proposed by the noble and learned Lord upon the woolsack; which Bill will enable Her Majesty's

Government effectually to put down this rebellion. I, who know what is the nature of military operations, tell your Lordships that a measure of this kind is necessary to prevent military operations being carried into execution with the greatest activity, in order to put down the state of things which now exists in Ireland, without enormous disturbance and enormous bloodshed. The noble Earl has stated, that hitherto coercive and not remedial measures have been adopted. Why, my Lords, this very day a remedial measure has received the assent of Her Majesty; and, as the noble Marquess has stated, much of the time of Parliament for the last forty years has been passed in passing or improving remedial measures for Ireland. There is not a Session, my Lords, in which many measures of that description have not been adopted by all Governments. The noble Earl has been pleased to review some of them. I feel very unwilling to follow him through that review; but he referred to some upon which I will make one or two observations. He has complained of the oaths administered to your Lordships upon taking your seats in this House; and the noble Earl seemed to think that those oaths were very unjustly imposed. I beg the noble Earl's pardon upon that subject. Having been in Parliament, either in this or the other House for a very considerable number of years, I have some recollection of the origin of the imposition of those oaths; and if I am not mistaken, my Lords, every one of those oaths was founded upon propositions in a petition presented by those who are now unwilling to take them. They demanded certain concessions on the part of Parliament—concessions with regard to objects which it was considered essential to maintain for the support and protection of that which this and the other House of Parliament—the Legislature of this country—can never cease to support. They assured us, "We are suffering because we cannot adopt the tests, and take oaths which we are required to take; but we are ready to swear—as we have stated in our petitions—that we have no desire to injure the Church—that we have no desire otherwise than to support the existing state of property in this country." It was on these petitions—on the model of these petitions—on the contents of these petitions—as I can prove by the very words of these petitions themselves—by their contents, and the assurances which they contain — that these oaths were framed. Now, I would recommend to the noble Earl to read and reflect on this matter, and he will see that there are no grounds for complaining of these oaths, and still less grounds to complain of the provisions of the different Acts of Parliament by which these different concessions and arrangements were made for the benefit of the Roman Catholics and of the people of Ireland. But I say it does not signify what has been done, nor what remains to be done, nor what it may suit Parliament to do—I contend—and the object for which I now venture to address your Lordships is to show—that this measure which is now under discussion before you, is absolutely necessary in order to maintain any Government or any society whatever in Ireland. My Lords, you have the whole country occupied by clubs, organised—secretly organised—for the purposes of military organisation and operations. It is obvious that the Legislature, for the last forty years at least, has been attending to this matter, and that up to this moment, with all the attention it has given to it—it has not been able to put this system down. I have ever heard it said, and I am convinced that on inquiry it will be found to be the fact, that in the system of agitation which prevailed in Ireland for some years, the mobs—the enormous mobs which we saw collected and travelling about the country in all directions, though with comparatively little mischief—were occasioned mainly by the influence and the existence at that time of a secret society. I have proof of it, that secret organisation existed in Ireland at that moment, and that these movements were directed by a system of secret operations carried on in that country. But at the present time let any one read the accounts which have been given of the parade at a review before one gentleman in Cork, when to the numbers of not less than 2,000 or 3,000 men were assembled, and their movements regulated by signals; and will any man attempt to say that this was not a proceeding regulated by secret communications — that these persons were not trained to obedience to those commands by signals—and that they were not brought together for the purpose of this review by the operation of secret communications from Dublin? And, my Lords, if all this took place, I ask, is not this measure necessary at the present moment to put down such mischief as that is? If your Lordships will read the Acts of Parliament which are proposed to be continued, you will see that they are already very strong, and you would be inclined to suppose that the magistrates have it already in their power to put down these mischievous clubs; but, my Lords, when you come to consider that these clubs are acting in co-operation one with another—that the magistrate who attempts to put down one of them under the provisions of any one of these Acts of Parliament, may find that he has eight or ten of them in reality to deal with—your Lordships will see that these clubs are an evil which it is necessary for the Government itself to take in hand; that it will not be sufficient for the Government to proclaim the existence of these Acts of Parliament, and to call upon the magistrates to carry them into execution; but that the Government must combine the measures that must be adopted, in order effectually to put down the existence of these clubs; and I hope that that is the object which Her Majesty's Government have in view, and that that is the course which they are determined to adopt and to carry into execution. My opinion is, that the amendment of these Acts of Parliament will enable the Government to adopt the measures necessary to effect this object, and that it is obvious that none but the Government can adopt such measures effectually. And yet it is when your Lordships are called upon by the noble and learned Lord on the woolsack to go into Committee on this Bill, in order to enable Her Majesty's Ministers to adopt this complement to all that has been done hitherto for putting down rebellion in Ireland, that the noble Earl asks them to propose remedial measures. Let the noble Earl come down to the House to-morrow, and propose remedial measures, and he will find the House ready and inclined, as it always has been, to listen to him in favour of any measure that may be of a remedial nature towards Ireland. But let us not be interrupted in carrying into effect this measure, which is necessary in order to enable you to preserve any Government whatever in Ireland, and then the noble Earl can be allowed to propose any measures of relief for that country which he may think advisable.

The Earl of DESART said, he wished to allude to one remark which had fallen from the noble Earl. The noble Earl, in alluding to the grievances affecting the Roman Catholics of Ireland, had stated that there was church property in Ireland sufficient to endow both Churches. Now, he could understand such an opinion coming from those who advocate the principles of communism, that one man who had too much should be despoiled to supply his poorer neighbour; he could understand such persons stating that because one Church had too much, therefore it should be robbed of its property for the sake of another Church; but he thought that the noble Earl should be the last to advocate those principles. The Established Church in Ireland was as much entitled to the property which it possessed, as was the noble Earl to the property held by him; and until they sanctioned the principle of every man being allowed to decide whether his neighbour had enough or too much property, they should not speak of dividing the income of the Establishment with any other persuasion. He begged, in addition, to express his thanks to the noble Marquess and Her Majesty's Government for this measure, which had been most justly styled by the noble Marquess as a remedial measure. But in order to render it so, they should begin by putting down all agitation, whether moral or physical, in the germ. He could tell the noble Earl that Ireland had been too long governed on the mistaken principles of conciliation. What Ireland wanted was government, and not conciliation—government which would ensure protection of life and property, and thus ensure that feeling of security which would enable capital to flow into the country, so as to develop her resources, and make her the strength instead of being the weakness of England.

The Earl of GLENGALL also begged to thank the noble Marquess for the admirable speech he had addressed to their Lordships. He had never heard a speech which had given him more satisfaction. With respect to the measure then under consideration, he still feared it would not be found sufficient, as it stood, to put down societies which were not bound together by illegal oaths, although they might have a system of passports and secret signs, and be leagued together for the purpose of purchasing arms. His noble and learned Friend (Lord Campbell) thought that the common law, in conjunction with the statute law, would be quite effective for that purpose; still, while he hoped that the noble and learned Lord was right in the view which he had expressed, he could not forget that when parties were tried under these Acts, the lawyers by whom they were defended would display great ingenuity in impressing the jurors with a belief of differences between the common law and the statute law, and in persuading them that the written and defined law was that which they were alone to follow. He could tell their Lordships that there would be found jurors who would gladly seize on such distinctions in order not to find verdicts. They had an instance of the widely different views that might be taken of matters of law, in the State Trial of 1844, when, on an appeal to their Lordships' House, three noble and learned Lords voted one way, and two noble and learned Lords voted the other way. He agreed that the Bill before their Lordships was a step in the right direction; but he regretted that Government had not thought it right to go a step further. If he were told by the noble and learned Lord (Lord Campbell) that this Bill, coupled with the common law of the land, would enable Her Majesty's Government to put down the Repeal Association, he would be satisfied; but without such an assurance, he could not be content; for he was firmly persuaded that unless Government did put down that association, they would do nothing except an infinite deal of mischief. It would be equivalent to telling the Government that the Repeal Association was again to flourish—that it was to be brought into active operation, and was to be perpetual. He attributed almost all the grievances under which Ireland laboured to that very association; he attributed all the misfortunes of Ireland to the agitation that had been carried on there for the last twenty years. He attributed the poverty and wretchedness of the people to the mischievous and seditious doctrines that had issued from that quarter; for how was it possible for a country to prosper, or for a people to be industrious, when their whole thoughts and their whole lives had been devoted to the perusal of the seditious trash published in the repeal newspapers, and to frequenting these repeal clubs? It was impossible, as long as that association was allowed to exist in Ireland, for them to expect any amelioration in the social state of the country. They had sent over millions of money, not merely on account of the famine, but for the improvement of the country; and yet they saw that the great mass of the people were turbulent and disaffected, and ready to listen to the treason that was addressed to them. He conceived that the whole question which they had to settle with the people of Ireland was, whether or not this Repeal Association should continue. They should bear in mind that all the young men who were engaged in the recent insurrection had been trained up in that association; and while they permitted it to exist, they would, by any other measure, be merely lopping off a branch, while they allowed the tree to flourish and to send out new foliage. He felt convinced to a stronger degree than he could find words to express, that if they could put down agitation in Ireland for five or seven years, they would behold that country making the most rapid strides towards prosperity. Speaking on behalf of the agricultural classes, he could assure their Lordships that there was no class in the community who felt the evil results arising from the system of intimidation which prevailed in Ireland more strongly than the farmers, as their interests were affected by it more than those of any other class. When their Lordships got into Committee on the Bill, he would propose the adoption of a clause which he found in the Act passed during Earl Grey's Administration in 1833 (3 and 4 Will. IV., c. 4), and which would be effectual in putting down the Repeal Association. And he would remind their Lordships that if such a stringent enactment were necessary at that time, it was much more so at the present moment, when they had a seditious conspiracy organised throughout the entire country. He admitted that that conspiracy had been put down wherever it had dared to show itself in actual outbreak, principally through the exertions of the police force, whose admirable discipline and efficiency he attributed in a great measure to the able superintendence of Captain M'Gregor. The noble Lord seemed to think that the Repeal Association was at present defunct; but those who knew more of Ireland than what was to be found in the newspapers of the day, could tell the noble Lord that measures were in progress for renewing the Association in all its strength. There were demagogues in all directions—at the altars, as well as elsewhere; but if the Association were put down, these demagogues could do no harm. He trusted, therefore, that the Government would adopt measures to put down this Association at once. They could do so, as on a former occasion, by rendering it illegal for any political body to adjourn from day to day; and he thought that the Government were called upon to explain why they would not re-enact a similar provision now. There were many persons in Ireland who attributed the unwillingness of the Government to adopt such a measure to their dread of losing certain votes in the other House of Parliament. There was also in the Bill of 1833 a clause which he thought would require to be re-enacted before very long. He referred to the clause authorising the Lord Lieutenant to commission any officer or officers of Her Majesty's regular forces, not being under the degree of a field-officer, to hold courts-martial for the trial of offences. They had recently four parties tried in Dublin. In one of these cases only, that of Mitchel, a verdict was returned. In two of the other cases, those of O'Brien and Meagher, the jury disagreed; and this very day, intelligence had arrived that in the fourth case, that of O'Doherty, the jury had also disagreed. This was a very serious matter indeed; and if they could not get jurors to do their duty, he did not know what was the use of all their Acts of Parliament. In the Act of 1833 there was a clause which provided that military men, not under the rank of field-officers, should alone be nominated on courts-martial. When it was recollected that in the case of Mitchel the names of the jury who had convicted him had been printed on lists that were distributed through all the Confederate clubs in the country, in order that the persons should be marked for destruction if the insurrection had been successful, what hope, he would ask, could they entertain of having verdicts returned on the trials of any of the chief leaders of the conspiracy? There was also another circumstance to which he felt compelled to allude. The noble Lord at the head of Her Majesty's Government, and the noble Marquess the President of the Council, had both made strong declarations against repeal of the Union; but there was a wide difference between saying and doing, and there was a strong feeling of dissatisfaction on the part of those who were determined to support the Government in Ireland at the manner in which the Government avoided following up these declarations by acts. They could not forget that at the last general election those who generally managed the affairs of the nation had sent over instructions to Ireland, that in all cases where a contest was pending between a Conservative and a Repealer, that the Repealer should be supported. When the election for Dublin took place, the very first person who recorded his vote for the repeal candidate was Her Majesty's Attorney General, Mr. Monahan. It was said that he voted in his private capacity only; but he (the Earl of Glengall) did not see how, in such a case, so important a functionary as the Attorney General could separate his private from his public capacity. The shopkeepers of Dublin did not draw such distinctions. They did not think the Government was against the repealers. They believed the Government supported the repeal candidate. He entreated the Government not to allow their subordinate officers to follow such a course. He disapproved very much, too, of the course that had been adopted in the case of Mr. Doheny, who was, without doubt, the cause of the late attempt at insurrection. It was immediately after he was bailed that he went to Slievenamon, and induced Mr. S. O'Brien to put himself at the head of the insurgents. Had Mr. Doheny not been admitted to bail at Nenagh, he (the Earl of Glengall) was satisfied there would not have been the late attempt at insurrection in Ireland at all. However, that person (Mr. Doheney) had since undoubtedly committed acts of high treason, and for that offence he no doubt would be tried. But all trials would fail of their proper effect, unless the Government adopted the system of placing military men upon the juries.

LORD REDESDALE said, a few expressions had fallen from the noble Earl (Earl of Shrewsbury) which he wished to notice—he had heard them with regret. The noble Earl had spoken of the Roman Catholics of Ireland as a degraded, insulted, oppressed, and tormented class. He denied the correctness of this description; and he challenged the noble Lord to justify the use of one of those epithets. It was said that the Roman Catholics were excluded from the office of jurymen; and he granted that they had been so excluded in certain cases. But, if the Roman Catholic population of Ireland were taken as a body, it would be found that at least four-fifths were disaffected to the Government.

The EARL of SHREWSBURY said, in explanation: My Lords, I must most solemnly protest against all idea of an ascendancy for the Catholic religion in Ireland. I only desire to see it in a situation in which the Prime Minister has repeatedly declared it should be — upon a perfect equality with Presbyterianism and Anglicanism.

The MARQUESS of CLANRICARDE felt called upon to deny the accuracy of the statement made by the noble Lord (Lord Redesdale) that four-fifths at least of the Roman Catholics of Ireland were disloyal. He knew no language too strong in which to express his entire dissent from such an assertion. He would say that he knew of his own knowledge that such was not the fact. He would say that, on the contrary, although there were of course exceptions amongst them, most of them were as loyal as any of Her Majesty's subjects in any part of the country. There were many of them who had suffered in property, and many who had shed their blood in defence of the laws and the constitution. The noble Earl (Earl of Glengall) had paid a well-deserved compliment to the loyalty, fidelity, and bravery of the Irish constabulary, most of whom were Roman Catholics. The Roman Catholic soldiers, police, and constabulary, were as true and loyal men as any in the service of Her Majesty, or in that of any Sovereign in the world. To return to the question really before their Lordships, there was no opposition to the Bill, and he therefore trusted the House would at once go into Committee upon it.

House in Committee.

The EARL of GLENGALL moved the clause for the suppression of the Repeal Association, of which he had given notice. It was framed to give power to the Lord Lieutenant, or other chief governor of Ireland for the time being, by order in writing to prohibit or suppress the meeting of any association, assembly, or body of persons in Ireland, which he or they should deem to be dangerous to the public peace or safety, or inconsistent with the due administration of the law; and in like manner by order to prohibit any adjourned or other meeting of the same or any part thereof, under any name, title, or device whatsoever. And if any meeting, association, assembly, or body of persons, whose meeting should be so prohibited, should assemble in despite thereof, under any pretext, title, device, or shift whatsoever, the persons composing it should be deemed guilty of a misdemeanour, and be treated accordingly.

The MARQUESS of LANSDOWNE opposed the introduction of the clause. The Repeal Association no longer existed, and it remained to be seen whether any attempt would be made to resuscitate it. By the Act recently passed for the suspension of the Habeas Corpus Act, the Irish Government was armed, and would remain armed until the next Session of Parliament, with an extraordinary power which would itself enable the Lord Lieutenant to check and control any such association; and he (the Marquess of Lansdowne) wished the people of Ireland to know that that law not only existed, but would be applied, if they rendered it necessary to call its powers into use. And all persons attempting to hold such meetings would be amenable. He therefore, without however pledging himself that at some future time further powers might not be required, thought that for the present matters might be safely left in the hands of the Lord Lieutenant of Ireland.

LORD MONTEAGLE hoped the noble Earl (the Earl of Glengall) would withdraw his clause.

The DUKE of WELLINGTON said, that no man could wish more than he that those associations should be put down and discontinued. But, considering the answer made by the noble Marquess, and considering that the Government was satisfied with the Bill before the House, he thought it was not expedient that the House should proceed to adopt the clause proposed by the noble Earl. That clause was a complete measure in itself, and might be brought forward by the noble Earl on any future day should it appear necessary. He therefore recommended him not to press it.

The EARL of GLENGALL was not satisfied with the noble Marquess's explanation. So long as the Act for the supension of the Habeas Corpus Act was in force, the demagogues would be quiet; but that Act would last only until March. To put down the Repeal Association, an Act for its suppression should last for several years. He now placed the clause in the hands of Her Majesty's Government, to do as they pleased with it. He would not press it.

Bill reported without amendment.

Amendments made.

PARLIAMENTARY ELECTORS BILL.

LORD BEAUMONT moved the Second Reading of the Bill, and briefly explained the objects of it, the chief of which was to extend the time for paying the borough rates and taxes six months. By the present system the very class of voters whom their Lordships should wish most to see on the lists were excluded.

The DUKE of WELLINGTON did not

think the noble Lord ought to press the measure then upon their Lordships, for although the House was well and respectably attended, it was not fully attended. The noble Lord, besides, had shown no solid ground of complaint against the present system. The object of his Bill was to make an alteration of six months in the payment of the rates; but he (the Duke of Wellington), for one, could not consent to it, and he really thought the noble Lord ought not to press his Motion.

Lord CAMPBELL had listened with the most profound respect to the noble Duke, but could not agree with him as to his objections to this Bill. He had ever conceived that this imperative rule for payment of rates, even where not called for, was a defect in the Reform Bill. He was strongly opposed to organic changes; but the present Bill only proposed to make a reasonable change.

Lord REDESDALE had ever considered the regular payment of rates, as enacted by the Reform Bill, the test of a voter's respectability. His chief objection, however, was to proceed with such a measure at such a period of the Session, when it was clearly impossible that it could be duly considered. He therefore trusted the noble Lord would accede to the suggestion of the noble Duke.

Earl GREY said, that if this was merely a matter of speculation, and not a grievance constantly and practically felt, he should agree with the noble Lord. It was notorious that in several parishes the collectors abstained from calling on the more respectable inhabitants until late in the season, as they knew that they could readily obtain the rates; and the result was that this class of persons were constantly disfranchised. This Bill more particularly affected the House of Commons, and as it had been sent up from that place, he thought that the House should adopt it. He denied the assertion that there was not a sufficient attendance of Peers to justify their passing such a Bill at that period of the Session.

The Earl of ELLENBOROUGH denied that this Bill merely affected the House of Commons, for the state of the constituency was a most important constitutional question. The truth was, that the House of Commons was in the habit of sending up a number of Bills at the end of the Session, which had been introduced by private Members of Parliament, and not by the Government. It was, therefore, too much to call upon that House at once to sanction such measures, without affording time for considering what was best for the country. He objected to the Bill on the grounds urged by his noble Friend (the Duke of Wellington), that this Bill affected to afford relief where there was no real ground of complaint, and also as it had been brought forward at such a late period of the Session.

Lord BEAUMONT regretted that he could not accede to the request of the noble Duke.

Bill read 2ª.

House adjourned.

HOUSE OF COMMONS,

Monday, August 14, 1848.

Minutes.] Public Bills.—1° Charity Trust Regulations; Commons Inclosure (No. 2); Transfer of Landed Property (Ireland).

2° Commons Inclosure Act Amendment; Ecclesiastical Patronage Suits Compromise (Ireland).

Reported.—Steam Navigation; Spirits (Dealers in); British Spirits Warehousing; Petty Bag, &c., Offices (Court of Chancery).

3° and passed:—Turnpike Acts Continuance; Poor Law Union District Schools; Money Order Department (Post Office); Boroughs Incorporation.

Petitions Presented. By Lord G. Bentinck, from the Borough of Kinsale, for Instituting an Inquiry respecting the late Election for that Place.—By Mr. Bouverie, from Launceston, for an Alteration of the Law respecting the Church of England Clergy.—By Mr. Wilson Patten, from Members of the Congregation of Primitive Methodists, of the Town of Burnley, Lancashire, for a Better Observance of the Lord's Day.—By Mr. Pattison, from Members of the General Body of Protestant Dissenting Ministers, resident in London, for Withdrawal of the Regium Donum Grant.—By Mr. Goulburn, from Inhabitants of the Parish of Hanover, in Jamaica, to take the State of the West India Colonies into Consideration.—By Mr. Hume, from Householders of Edinburgh, for the Abolition of the Annuity Tax (Scotland).—By Lord G. Bentinck, from Engineers, Miners, and Others, of several Places in Cornwall, against the Copper and Lead Duties Bill.—By Mr. Cardwell, from Merchants, and Others, of Liverpool, for Retrenchment of the Naval and Military Expenditure.—By Mr. Osman Ricardo, from several Lodges of the Independent Order of Odd Fellows, for an Extension of the Benefit Societies Act.—By Sir John Romilly, from the Town of Machynlleth, Montgomeryshire, in favour of the Charity Trust Regulations Bill.—By Colonel Dunne, from the Grand Jury of the County of Galway, for Relief of the Distress (Ireland).—By Mr. Mackinnon, from James Logan, 2, Norfolk Street, Marylebone, in favour of Instructing Schoolmasters and Ministers in the Gaelic Language.—By Mr. Lushington, from Members of the Health of London Association, for Alteration of the Nuisances and Contagious Diseases Bill.—By Viscount Melgund, from the Presbytery of St. Andrew's, Fifeshire, for Improving the Parish Schools (Scotland).—By Colonel Dunne, from Members of the Grand Jury of Galway, for Inquiry respecting the Working of the Poor Law (Ireland).—By Mr. H. Berkeley, from Officers employed in the Westbury-upon-Severn Union, Gloucestershire, in favour of a Superannuation Fund for Poor Law Officers.—By Mr. Hume, from the Presbytery of Meigle, against the Registering Births, &c. (Scotland) Bill.—By Mr. Boyd, from the Town of Coleraine, in favour of the Renewable Leasehold Conversion Bill.—By Viscount Morpeth, from a Number of Persons, Frequenters of Hyde Park, and Others, respecting the State of the Serpentine River.

PLUNDER OF THE ROYAL WOODS.

VISCOUNT DUNCAN asked if the noble Lord at the head of the Woods and Forests had any statement to make with reference to the subject of a certain private communication which he (Lord Duncan) had, as Chairman of the Committee on the department, made to the noble Lord this Session; also whether the noble Lord had anything to state with respect to the depredations which it had been discovered had been, during some years, committed upon the wood in the New Forest?

VISCOUNT MORPETH replied, that from the information which he had received he had reason to believe that a system of fraud and depredation had prevailed for a long time past with respect to the New Forest. As soon as the revelations in reference to them were brought under his attention by the praiseworthy investigation of his noble Friend, he engaged the services of two gentlemen who were specially recommended to him for the purpose, and he had every reason to believe that they would prosecute their inquiries with effect. Two persons had been already apprehended, and committed to take their trial in consequence of these depredations.

THE COLONIES—OMITTED CORRESPONDENCE.

On the question that the Speaker do leave the chair for the House to go into a Committee of Supply,

LORD G. BENTINCK said: Sir, I should have hoped there would be no objection to grant the Motion of which I have given notice, which is that—

> "An humble Address be presented to Her Majesty that She will be graciously pleased to direct the Earl of Elgin and Kincardine forthwith to transmit to Her Majesty's Secretary of State for the Colonies Copies of the omitted Correspondence between the Provincial Secretary of Canada and the Secretary to the Montreal Board of Trade, and will direct that the same be laid before this House."

But the Government have expressed themselves dissatisfied with the terms of my Motion. I apprehend that Her Majesty's Ministers, and especially the Colonial Office, are somewhat sensitive upon any expression which might intimate a suspicion that any correspondence, or any despatch, had been purposely omitted by the Colonial Office. On a former occasion, when I observed upon the omission in this correspondence, of the letter of the Provincial Secretary of Canada to the Secretary of the Montreal Board of Trade, the hon. Gentleman the Under Secretary for the Colonies informed the House that no copy of any such letter had been received at the Colonial Office. Well, Sir, I take for granted that the statement of the hon. Gentleman is perfectly correct. But, Sir, I want to know how it is that a part of the correspondence of the Earl of Elgin and Kincardine should have been omitted? Having thought fit to lay before the House copies of the correspondence between the Governor General of Canada and the Under Secretary of State for the Colonies on the subject of the navigation laws, such portion of the community as feel interested in the preservation of the navigation laws feel deeply hurt that Her Majesty's Ministers should have selected those correspondences from Canada which tell in favour of the repeal of the navigation laws, and kept back correspondence from the sister colony of New Brunswick which is of a totally different character. The general complaint is, that Her Majesty's Government think that they are entitled, in laying correspondence before this and the other House of Parliament, to select such despatches only as tell for the policy of which they are themselves the advocates. It is because the noble Lord (Earl Grey) at the head of the Colonial Office, has avowed that it is his practice, and that he deems it his right, to lay before us only such of the correspondence as tells for his argument, that the public at large have become deeply sensitive on this subject. Such has been the course in this case. It is important that this House and the country should know the exact state of feeling in the colonies upon these subjects; and it is right also that the country should know the exact state of this matter between the Canadian colonists and the people of this country as regards the repeal of the navigation laws. When the Council of the Board of Trade at Montreal humbly reprimand the Governor General of Canada on this question, and insist upon his making known to the Queen and Parliament of Great Britain, that unless the measures of the Government should succeed in making the channel of commerce of the St. Lawrence as cheap as the channel of commerce of New York, the painful consequence—to use their own term—the painful consequence of the policy of this country in withdrawing from its colonies that protection to which they were entitled, will be most seriously to endanger the relation between them and the mother country. It is right that Parliament should at least have laid before them the whole of the communication with the Board of Trade of Montreal on this subject; and I must say, to me it does seem most surprising, that the Earl of Elgin and Kincardine, whose habits of business are so well known and so well appreciated, should have omitted to send to the Colonial Office a copy of this despatch. I wish to know whether he has received instructions to send home only such despatches as tell for the policy of the Government, or whether it is in consequence of his own notions only that he has omitted this despatch; or whether (as I am inclined to believe is the fact) the despatch was transmitted, and lost on its way to this country? Sir, the Government may feel that, if my Motion were agreed to in its present shape, the Earl of Elgin and Kincardine might, in his own defence, make some statement which would not be palatable to the Government. But their sensitiveness upon this point is the very reason why I ought to press the Motion in the terms in which I have framed it. Sir, in making this Motion I cannot help entering into some few observations upon the character of this correspondence. Sir, the colonies tell the House, in terms that cannot be very well misunderstood, that unless the effect of the repeal of the navigation laws should be to put the cost of transit by the St. Lawrence upon an equal footing with the cost of transit by way of New York, the result must necessarily be to dissolve the ties which connect the colonies with the mother country. Now, Sir, upon receiving memorials to that effect, what sort of answer ought to have been made by the Secretary of State for the Colonies? Why, it seems to me that he would have done his duty by showing he could possibly so reduce the cost of transit between Montreal and Great Britain as to put it upon an equal footing with the cost of transit between New York and this country. But, Sir, what is the answer that Earl Grey makes? Earl Grey states, that he has presented these memorials and these petitions to Her Majesty, and that they have been very graciously received; and on the 7th of July, within four days, as far as my recollection serves me, of the time when it became notorious to this House that Her Majesty's Ministers did not intend to proceed with their measure for the repeal of the navigation laws—within four days of the time that Her Majesty's Ministers formally announced that they had shelved the repeal of the navigation laws, Earl Grey writes to Lord Kincardine to say that—

> "Her Majesty's Ministers hasten to assure Earl Kincardine that Her Majesty's servants are fully sensible of the extreme importance to Canada, of the measure which is now under the consideration of the Legislature, and that they entertain a confident opinion of its being passed into a law."

On the 7th of July last, Earl Grey states, that the Government seriously believe and entertain a confident opinion and hope that this measure would pass this Session. Well, then, Sir, what is the effect? Why, that Earl Grey counsels the Earl of Elgin and Kincardine to excite the colonies to the belief that this measure for the repeal of the navigation laws will be of the utmost importance to the colonies; he leads them to hope, of course, that all their sanguine predictions will be fulfilled; and, of course, when they learn, within ten days afterwards, Her Majesty's Ministers have abandoned the measure, disappointment, dissatisfaction, and discontent must prevail throughout the colonies. But, Sir, I maintain that it was the duty of Earl Grey, instead of encouraging the colonies to entertain this vain and futile hope, that any competition could put a colony that was so disadvantageously situated by climate and position, as compared with New York, upon an equal footing with New York, it was the duty of Earl Grey to show that no repeal of the navigation laws could possibly give to the Canadians the advantages which were set forth. Sir, the foundation of the real complaint and grievance is, that there are great fluctuations, which they ascribe to the navigation laws, in the freights that are charged upon flour; that they are made inordinately high; that for four years they average *5s. 1d.*, while from New York they average only *2s. 1d.*; that they have fluctuated to the extent of as much as *4s.* in the year—all of which is ascribed to the navigation laws. Then, Sir, I maintain that Earl Grey should have observed in answer to these discontented colonists, that, in supposing that the average freights to New York were *2s. 1d.*, they were grossly deceived, for he might have stated to them with great truth that which he might have ascertained from the secretary of the Steam Packet Company, that the average freight during the last four years from New York has not been *2s. 1d.*, but *3s. 1½d.*; while I find that the fluctuation in the amount of freight in Canada, as compared with New York, is from *3s. 6d.* to *7s. 6d.*, which is the gravamen of the complaint of these petitioners. They complain that the fluctuations in freight between New York and England on flour is from 2*s.* 9*d.* to 8*s.* 6*d.*; so that while the fluctuation as complained of by the Canadian agriculturist is 4*d.*, the fluctuation in freight in one year, between New York and this country, on flour, amounted to no less than 5*s.* 9*d.* So that how can it be believed that the repeal of the navigation laws is to secure the Canadians from fluctuations in freight? But, Sir, Earl Grey, instead of exciting the Canadian colonists to entertain hopes which he must have well known must be speedily disappointed if the navigation laws were to be repealed—Earl Grey, instead of leading them to suppose that the repeal of these laws would put them upon an equal footing with the merchants and farmers of the State of New York, should have reminded them that no repeal of those laws could possibly put Montreal upon an equal footing with New York—that no measures of legislation could put one country upon an equal footing with another with regard to which it has pleased Providence that the navigation should be closed by frost during five months out of the twelve—that no competition could possibly put Montreal upon an equal footing with New York, when Quebec, which is 175 miles lower down the stream than Montreal, requires a voyage of ten days, one, and fifteen days the other, more than is required with regard to the former, when it requires twenty days to pass from New York to Portsmouth, and thirty days, I understand, as an average, for the passage back from Portsmouth to New York; while the average voyage from Quebec to London is forty-five days, and the average voyage from London to Quebec fifty-five days. But, Sir, there are other difficulties. It has pleased Providence that the navigation of the St. Lawrence should be interrupted and made dangerous not only by shoals and rapids, but by fogs and snow storms. The result of this is that not only are from twenty to thirty days only required on an average as the voyage between New York and London, but the charge of insurance is in proportion to the risks; and while the insurance to New York averages from 40*s.* to 60*s.* per cent, the insurance from Montreal, even in the most favourable seasons, is never less than 4*l.* per cent; thus the insurance rises as the season of autumn approaches: at portions of the year it rises from 6*l.* to 9*l.* per cent; in the month of September no insurance is given, except upon the most extortionate terms. But there are also other expenses that no legislation can remove; and they are these—that the tide rising and falling to a distance of forty-five milesb eyond Quebec, renders it necessary for ships going to Montreal against the stream to go to the expense of employing steam tugs. I have a statement of the cost of pilotage. To pilot a ship of 150 tons will cost 12*l.*, whilst to pilot the same ship up the St. Lawrence to Montreal and back again will cost 37*l.* The cost of a steam tug from Quebec to Montreal is, for a ship of 400 tons, 70*l.*, and to bring her back, 45*l.* Well, with these different charges and insurances it would make a sum total, which you cannot remedy by Act of Parliament, equal to 10*d.* per barrel upon flour. Then setting that length of voyage—setting aside the difference between the position at St. Lawrence and Montreal, and the fact that only two voyages can be made in the year, instead of three which can be made from every other place, how is it possible that by any legislation with the system of repeal of the navigation laws—let it be as successful as is desired by the most sanguine of those who hope that the iron hand of competition will bring down everything to the lowest point—how is it possible that you can place the cost of freight to Montreal upon an equal footing with that of New York? And yet you have the Secretary of State and the Governor General of Canada encouraging the colonies to believe that these ends are to be attained by the repeal of the navigation laws—encouraging them only to be disappointed. If you should succeed in carrying your repeal of the navigation laws, after a short interval they will come to you and say that your promised boon, which was to put the produce of Western Canada upon an equal footing with the produce of the United States, has proved entirely worthless; and, then, Sir, they will say, as they tell you in those communications, that the commercial union between the Canadas and the United States must be drawn closer, and that the next result will be, that they will cast off their connexion with the mother country. But, Sir, let me ask leave to warn these colonies, that if any people are to suffer by a repeal of the navigation laws, none that I know will suffer more than these very colonies. I hold in my hand a statement of the number of persons engaged in the timber trade of Quebec. There are forty-five firms possessing 1,504 ships. This statement shows that twenty-one of these firms are bankrupt, and nineteen others are about to stop payment. Why, Sir, one of the most successful trades in Northern Canada has been shipbuilding. Foreigners, under the new system, will at once avail themselves of that wealthy branch of Canadian trade. Well, Sir, but what do the Canadians say? They tell you that as long as the fostering policy of this country was maintained towards the colony of Canada, they had no reason to complain of the navigation laws; for that fostering policy, which admitted the flour of Canada upon favoured terms into this country, more than fully compensated for any disadvantages she might be supposed to be under from the monopoly, if it be monopoly, arising from the navigation laws. But, Sir, the object of my Motion is to secure that no Governor General—if it be the object of the Governor General, which I cannot help doubting—that no Governor General, and no Minister connected with the Colonial or any other office under the Crown, shall presume to present to this House partial extracts of any correspondence, or shall presume to lay before this House information connected with his department intended for the purpose, and calculated not to tell the whole truth, and not cast light upon the subject in question which it may be in the power of his department to throw upon it. And my object is to learn how it comes about that the Earl of Elgin and Kincardine is treading the steps so condemned by the public at large, namely, that adopted by the Colonial Office, of laying before Parliament only so much information as favours its own particular views of the subject. The noble Lord concluded by proposing his Motion.

Lord J. RUSSELL said: Mr. Speaker, I do not think it necessary or convenient, at this time, to enter into a discussion whether the repeal of the navigation laws would or would not be useful to Canada, or whether it would answer the objects which the Montreal Board of Trade have in view. I think that such a discussion will far better take place when any measure with regard to the navigation laws is proposed. The only question, as I understand the noble Lord on this occasion, is for an address for what has been omitted in the correspondence now before the House. The objection to the noble Lord's Motion is simply this, that his Motion appears to convey an incorrect notion of the facts of the case. Any person reading this address for what had not been laid before the House, would suppose that Lord Elgin had been to blame in not sending the correspondence which had taken place between the Provincial Secretary of Canada and the Secretary of the Montreal Board of Trade; and that he ought to be reprimanded for that neglect, and ordered to send the correspondence forthwith. Now, the fact is, that on the 31st of May, Lord Elgin writes a despatch to my noble Friend Lord Grey, in which he informs him that a correspondence has taken place, and that there are memorials to both Houses of Parliament, which he sends for the consideration of my noble Friend. This correspondence consists, besides the memorial, of a letter of the President of the Montreal Board of Trade, in answer to the Provincial Secretary. In answer, the Provincial Secretary reproves the President of the Montreal Board of Trade for the particular expression in the original letter, in which he said that unless the navigation of the St. Lawrence was to be made free to the United States, the inevitable result would be the dissolving of the ties which connect the latter with the mother country. Now, it appears that after this reply was written, there was another answer from the Secretary of the Montreal Board of Trade, defending the expression which had been originally used. Lord Elgin wrote on the 31st. Whether it was that he had not received that reply at the same time when the despatch was sent, or whether he considered it to be of no great importance, I am sure I know not; but I know I consider that the matter is of very little importance. He would not oppose the Motion if the terms were so altered as not to imply any blame upon Lord Elgin.

Lord G. BENTINCK: In asking leave to withdraw my Motion, I may perhaps be allowed to correct a mistake into which the noble Lord has fallen. There is one despatch from Lord Elgin, dated the 15th of June. The omission of which I complain is in a paper dated the 8th of June, and was published in the newspapers on the 13th of June, and it arrived simultaneously with that dated the 15th of June. So far as to the noble Lord's dates. The noble Lord is also under a mistake in stating that the communication from the Secretary of the Montreal Board of Trade was written by that person *ex mere motu*, and contained merely the expression of his own opinion. Such is not the case. The Secretary wrote by direction of the Montreal

Board of Trade, which is quite a different thing, and that board ordered this communication to the Earl of Elgin after eleven days' consideration.

LORD J. RUSSELL said, he should not object to the Motion being withdrawn except that they would have another Motion made on the Amendment that the House go into a Committee of Supply. He must, therefore, request that the Motion be negatived.

Amendment negatived.

SUPPLY—THE NEW HOUSES OF PARLIAMENT.

House in Committee of Supply.

The first grant proposed was 30,000*l.* for defraying the necessary expenses of the New Houses of Parliament from the 31st of March, 1848, to the 31st of March, 1849.

SIR. H. WILLOUGHBY said, the Legislature had already voted no less a sum than 945,000*l.*, not including the grant of the present year. The whole sum, as regarded money paid or agreed to be paid, up to the 31st of March, 1848, on these houses, amounted to 1,021,010*l.* The whole sum which had actually been granted by the Legislature was 945,000*l.*, leaving a balance agreed to be paid of 76,010. The question he wished to put to the Committee was whether the sum which they were now called upon to vote was sufficient to defray the expenses, including this balance. From what had been done, and from what was to be done, and judging from the amount expended, he was of opinion that those new Houses of Parliament would cost the country at least 2,000,000*l.*

VISCOUNT MORPETH said, it was true that 945,000*l.* had been already voted. Besides this 50,000*l.* more had been issued this year on the understanding that votes would be taken in account. Very nearly the sum of 1,000,000*l.* had been already expended on the undertaking. It was also true that 1,021,010*l.* had been paid or agreed to be paid. If the Committee agreed to the sum now asked for, it would make in the whole 120,000*l.* during the present year, of which sum there would be spent 50,000*l.* between the present time and the 31st of March, 1849. 20,000*l.* had been contracted for, 50,000*l.* had been spent, and 50,000*l.* more, as he had already said, remained to be laid out on the building.

MR. OSBORNE thought the course pursued by the Government was unwise, injudicious, and calculated to increase the expenditure. He would wish to know something about the rate of remuneration to be paid to the architect.

MR. H. DRUMMOND begged to call attention to the Victoria Tower. It would not be safe to carry up that tower more than thirty feet a year. But, in reference to the New Houses, the Select Committee had required two impossible things to be done. In the first case they required that all the apartments should be fire-proof, and that they must be insulated. In the next place, they were to be ventilated; but this they could not be if they were insulated. It was, however, important that they should refuse to advance a farthing until a board had been appointed who should be responsible for the expenditure.

Vote agreed to.

On the question that the sum of 4,050*l.* be granted for certain works and buildings in the Isle of Man,

MR. HUME objected, and the Committee divided :—Ayes 71; Noes 14 : Majority 57.

List of the NOES.

Brown, W.	Salwey, Col.
Clay, J.	Thicknesse, R. A.
Cobden, R.	Thompson, Col.
Dick, Q.	Thompson, G.
Ewart, W.	Thornely, T.
Greene, J.	
Osborne, R.	TELLERS.
Muntz, G. F.	Hume, J.
Kershaw, J.	Bowring, Dr.

Vote agreed to.

On the question that a sum of 23,167*l.* be granted for repairing Public Buildings, &c., in Ireland.

DR. BOWRING wished to call the attention of the House to this vote, to which he strongly objected, as he considered that if there was any department which required special control, it was the department of public works in Ireland,

MR. GOULBURN could assure the hon. Gentleman that as strict a control was exercised over the expenditure of the Lord Lieutenant as over that of any public department of this country. He noticed an item in this vote of 900*l.* for a Roman Catholic chapel, proposed to be built for the Royal Hibernian Military School; and he feared that if this design were carried out, it would lead to much dissension.

The Committee divided on the question that the sum be 22,267*l.* :—Ayes 12; Noes 103 : Majority 91.

List of the Ayes.

Archdall, Capt.
Arkwright, G.
Bright, J.
Broadley, H.
Campbell, hon. W. F.
Dick, Q.
Duncan, G.
Hamilton, G. A.
Hood, Sir A.
Law, hon. C. E.
Lushington, C.
Waddington, D.

TELLERS.

Spooner, R.
Napier, E.

Original question again put,

Mr. SPOONER objected to the item of 2,685*l.* for the repair and maintenance of Maynooth College, on the ground that the repairs of that college had been provided for by the grant of 30,000*l.* from the Consolidated Fund given by the Maynooth Act. He moved that the sum of 2,685*l.* be struck out of the estimate.

The Committee divided on the question that the sum be 20,481*l.* 19*s.* 3*d.* :—Ayes 38; Noes 109 : Majority 71.

List of the Ayes.

Adair, H. E.
Archdall, Capt.
Arkwright, G.
Bankes, G.
Bright, J.
Broadley, H.
Burrell, Sir C. M.
Carew, W. H. P.
Christy, S.
Dick, Q.
Disraeli, B.
Drummond, H.
Duncan, G.
Ewart, W.
FitzGerald, W. R. S.
Fuller, A. E.
Goddard, A. L.
Grogan, E.
Hamilton, G. A.
Hardcastle, J. A.
Harris, hon. Capt.
Henley, J. W.
Hood, Sir A.
Jolliffe, Sir W. G. H.
Kershaw, J.
Law, hon. C. E.
M'Gregor, J.
Miles, W.
Morgan, O.
Muntz, G. F.
Pearson, C.
Salwey, Col.
Thompson, G.
Turner, G. J.
Urquhart, D.
Waddington, D.
Walsh, Sir J. B.
Willcox, B. M.

TELLERS.

Spooner, R.
Napier, J.

List of the Noes.

Abdy, T. N.
Armstrong, Sir A.
Armstrong, R. B.
Arundel and Surrey, Earl of
Baillie, H. J.
Barkly, H.
Barnard, E. G.
Bellew, R. M.
Bentinck, Lord G.
Berkeley, hon. Capt.
Birch, Sir T. B.
Blackall, S. W.
Bowring, Dr.
Boyle, hon. Col.
Brotherton, J.
Brown, W.
Buller, C.
Callaghan, D.
Campbell, hon. W. F.
Clay, J.
Clements, hon. C. S.
Cobden, R.
Colebrooke, Sir T. E.
Cowper, hon. W. F.
Craig, W. G.
Duncan, Visct.
Dundas, Adm.
Dunne, F. P.
Ebrington, Visct.
Elliot, hon. J. E.
Fagan, W.
Forster, M.
Fortescue, C.
Fortescue, hon. J. W.
Gladstone, rt. hn. W. E.
Glyn, G. C.
Godson, R.
Goulburn, rt. hon. H.
Greene, J.
Grey, rt. hon. Sir G.
Grey, R. W.
Grosvenor, Earl
Hawes, B.
Hayter, W. G.
Headlam, T. E.
Heywood, J.
Hobhouse, rt. hon. Sir J.
Hobhouse, T. B.
Howard, P. H.
Howard, Sir R.
Hume, J.
Jervis, Sir J.
Labouchere, rt. hon. H.
Lascelles, hon. W. S.
Lewis, G. C.
Locke, J.
Matheson, Col.
Maule, rt. hon. F.
Melgund, Visct.
Milner, W. M. E.
Mitchell, T. A.
Monsell, W.
Morpeth, Visct.
Norreys, Sir D. J.
O'Brien, Sir L.
O'Brien, T.
O'Connell, M. J.
Ogle, S. C. H.
Osborne, R.
Owen, Sir J.
Paget, Lord C.
Palmerston, Visct.
Parker, J.
Pinney, W.
Power, Dr.
Pusey, P.
Reynolds, J.
Ricardo, O.
Rich, H.
Romilly, Sir J.
Rumbold, C. E.
Russell, Lord J.
Russell, F. C. H.
Rutherfurd, A.
Scully, F.
Sheil, rt. hon. R. L.
Shelburne, Earl of
Sheridan, R. B.
Simeon, J.
Smith, rt. hon. R. V.
Smith, J. A.
Somerville, rt. hn. Sir W.
Spearman, H. J.
Stanton, W. H.
Sturt, H. G.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Townshend, Capt.
Vane, Lord H.
Ward, H. G.
Watkins, Col.
Willoughby, Sir H.
Wilson, J.
Wilson, M.
Wodehouse, E.
Wood, rt. hon. Sir C.
Wood, W. P.
Wrightson, W. B.

TELLERS.

Tufnell, H.
Hill, Lord M.

Original question agreed to.

On the question that 42,700*l.* be granted for salaries and expenses in the department of the Treasury,

Mr. OSBORNE did not know that there was much use in Junior Lords of the Treasury. The Committee recommended that they should be reduced to three. But he rose to make an inquiry respecting the Assistant Secretary; it was understood that 2,500*l.* had been given to Sir C. Trevelyan for his exertions during the Irish famine, in addition to his salary. Out of what fund was this grant taken? No public money ought to be given to a public officer without the sanction of the House being asked.

The CHANCELLOR of the EXCHEQUER could assure the hon. Member that the Lords of the Treasury were of the very greatest use in conducting the business of the Treasury. However, the noble Lord the Member for Calne (the Earl of Shelburne) having resigned, it had been determined, in compliance with the recommendation of the Committee, not to fill up the vacancy. With regard to Sir C. Trevelyan, the case was an exceptional one; but his services on the extraordinary emergency alluded to were so very great that it had been thought right to make a Treasury minute awarding him 2,500*l.* The item would be found in the account of "civil contingencies" laid before the House.

Mr. DISRAELI, while readily acknowledging the great services rendered by this Gentleman, could not forget that the Order of the Bath had been conferred upon him—a reward bestowed as for services which could not be paid for by a pecuniary grant. The vote of 2,500*l.* was surely conceived in rather bad taste; and a *preux chevalier*, like Sir C. Trevelyan, bearing his blushing honours, might well be supposed to recoil from receiving an extra year's salary.

Mr. SPOONER considered that the Government had no right to reward any public servant, however great and meritorious his services might be, without coming to the House of Commons and stating his services, and letting the reward come from the House and not from the Minister himself. It was a dangerous principle.

Mr. BRIGHT asked from what fund the money was paid? Was it from the fund voted for the relief of Irish distress? If it was, it might be a necessary salary for distributing that relief. He also wished to have an explanation with regard to the sum of 8,650*l.*, which was distributed among the officers and crews employed in the service of Ireland during the period of distress.

The CHANCELLOR of the EXCHEQUER had stated before that the former sum was paid out of the civil contingencies, and that the other was contained in the estimates then before the House.

Mr. GLADSTONE condemned the conduct of the Government in this matter. It was their duty to have submitted a vote to the House; not to have taken on themselves to reward a public servant. If there was one rule connected with the public service which more than another ought to be scrupulously observed, it was this, that the salary of a public officer, more especially if he were of high rank, ought to cover all the services which he might be called upon to render. Any departure from that rule must be dangerous. The particular payment to Sir C. Trevelyan was not even mentioned in the estimates before the Committee. All that the estimates stated was, that 4,045*l.* were required on account of services performed in connexion with the distress in Scotland and Ireland. Who could suppose that a single charge to the amount of 2,500*l.* was included in what appeared to be an aggregate of small items? If it had not been for the hon. Member for Middlesex, the House would have known nothing of the matter.

Lord J. RUSSELL said, that the subject had been referred to in the report of the Committee which sat on the civil contingencies; and therefore the House was not indebted exclusively to the hon. Member for Middlesex for the notice of it. The Government thought that the services of Sir C. Trevelyan were deserving of reward; and the question was, whether they should bestow the reward during the recess, or wait until Parliament met, and then propose it. They decided on the former course.

Mr. GOULBURN begged to say, that he had laboured with Sir C. Trevelyan for many years, and was deeply impressed with the value of his services; and he had no doubt that, whether he had applied his talents to the ordinary business of the Treasury or to the extraordinary business of the famine of Ireland, he had done so in a manner to entitle him to the cordial approbation both of Government and of Parliament; and if he (Mr. Goulburn) said anything as to the mode in which the remuneration had been granted to him, it was not for the purpose of disparaging Sir C. Trevelyan's services or doing him dishonour, but from a feeling that the honour due to him had not been properly paid. According to all precedent the House of Commons ought to have fixed the amount of Sir C. Trevelyan's remuneration; and the House had just reason to complain that they had not been asked to do so. With respect to the other question, of the abolition of one Lord of the Treasury, he begged to say, that he entertained an opinion entirely at variance with that expressed by the Committee.

Lord J. RUSSELL said, that however Sir C. Trevelyan might have employed his intelligence, the Ministers of the Crown were responsible for his acts. The Public Works Act was adopted after several meetings of the Cabinet with Lord Besborough; and whatever errors might have been committed, the Government were to blame for them. Sir C. Trevelyan stated in his evidence that he worked three hours before breakfast; that he then went to the Treasury, where he worked all day; and that the pressure upon him was such, that he wondered that he had been able to get through it alive. If the Government had done wrong in including the vote in the civil contingencies, he hoped that their error would not be visited upon one of the most intelligent and laborious officers that he had ever known.

Mr. B. OSBORNE said, he must really recall the attention of the House to the question before it, with which he would not consent to mix up the policy of the Government in Ireland. The question was, whether a certain sum of money should have been given to this officer, from any fund whatever, without the consent of Parliament? He thought that the whole transaction was illegal.

Vote agreed to.

The House resumed. Committee to sit again.

House adjourned at Two o'clock.

HOUSE OF LORDS,

Tuesday, August 15, 1848.

Minutes.] Public Bills.—1ª Steam Navigation; Assessionable Manors Commissioners (Duchies of Cornwall and Lancaster).

Reported.—Constabulary Force (Ireland); Parliamentary Electors; Turnpike Roads (Ireland); Proclamations on Fines (Court of Common Pleas); Churches.

3ª and passed:—Unlawful Oaths Acts (Ireland) (Continuance and Amendment); Militia Ballots Suspension.

Petitions Presented. From King's Sutton, and several other Places, against the Sale of Intoxicating Liquors on Sundays.—From Halfmorton, North Uist, and several other Places, for Facilitating the Attainment of Sites for Churches (Scotland).—From the Parishes of St. Marylebone, and St. Luke, for the Prevention of Sunday Trading.—From Parish Schoolmasters within the Presbytery of Cupar, for the Improvement of Parish Schools of Scotland.

PUBLIC HEALTH BILL.

Lord CAMPBELL moved the consideration of the Commons' Amendments to the Lords' Amendments to the Public Health Bill, and after stating the amendments made by the Commons to their Lordships' amendments, the noble Lord said that it was for their Lordships to choose whether they would waive their amendments, or throw out this Bill. There was no alternative: it was hopeless to insist on their Lordships' amendments. He trusted that their Lordships would show an example of moderation and forbearance; and, for the sake of the safety of the Bill, that they would agree to what the Commons had proposed, and would be satisfied with the amendments which they had accepted, waiving those which they had rejected.

The Earl of ELLENBOROUGH said, that after what had taken place in this House, their Lordships had a right to expect that their amendments would have received the support of a united Government in the other House. He supported the propriety of the amendments, which, he said, had been adopted with the best intentions. He objected to the amendments of the Commons, as they might lead to jobbing in the local boards. He deeply regretted what had passed as to this Bill; but at the same time he would not, on his part, even if he had the hope of inducing their Lordships to agree with him in rejecting any of these amendments, give the House of Commons an excuse for rejecting this Bill. The Bill was not what it ought to be; it was not what he trusted it would be, but it was still a great public good, and they should not have, through him, the excuse of depriving the public of it.

The Marquess of LANSDOWNE agreed that it was necessary to waive their Lordships' amendments, at the same time regretting that the Commons had not acceded to them. He and his noble and learned Friend had entertained a strong hope that the House of Commons would have waived, as regarded this Bill, that portion of their privileges which, although sacred in many constitutional respects, were impediments in matters of this kind.

Lord REDESDALE said, of all the clauses in the Bill he considered that relating to the consumption of smoke to have undergone the greatest care; and he very much regretted its rejection by the Commons. The clause had been introduced by the Committee upstairs, with the full sanction of Her Majesty's Government; he therefore thought the Government were to blame for having allowed it to be struck out by the Commons. The reason assigned for its rejection was the reverse of the fact, namely, that it was the subject of separate legislation. Every attempt to make it so had failed; while, on the contrary, as a subject in connexion with other measures it had always succeeded. In Liverpool, Manchester, Leeds, and Derby, the enactment had been applied; why, therefore, it should be excluded from the provisions of this Bill he could not understand. It was essentially a poor man's question, for the weavers of this town were obliged to work from morning till night with every window of their small rooms closed, because the smoke which came from the neighbouring factories injured their work. The parties who were against the abolition of this nuisance were the great chimney owners. They were a small class, but a very important one. If, however, the Government gave way to that influence, there would be no chance of any measure on this subject being carried. He hoped the Government would assent to the reintroduction of the clause.

Lord PORTMAN regretted as much as his noble Friend, that these clauses had been rejected by the Commons. He thought, however, that it would be unwise to risk such a Bill, by pressing this clause at such a late period of the Session. He trusted that at an early period of the next Session a Bill would be introduced to remedy this evil, and which he hoped would prove successful.

The Duke of ARGYLL entirely concurred in the feelings of regret which had been expressed, that the Commons had rejected the amendments introduced by their Lordships.

Lord CAMPBELL in reply, said, that he could assure the House that the Government had used every exertion to carry these amendments; but they had been unsuccessful, in consequence of the irregular combination of parties against them. It was not until the Government saw that there was no chance of success that they were induced to abandon all hope of carrying these amendments. He trusted, however, that they would be carried into effect at some future period. He was glad to find the unanimity which prevailed as to the course to be pursued by their Lordships; and he trusted that the noble Lord (Lord Redesdale) would not persist in his proposal, but take the judicious advice of the noble Earl (the Earl of Ellenborough). This Bill was not now so perfect or beneficial as it might be, still it contained many most beneficial enactments.

The Earl of DESART expressed a hope that some arrangement would take place so as to put the privileges of both Houses on a better footing than they now were, as many of them were productive of great inconvenience.

Commons' Amendments agreed to.

Lords Amendments disagreed to by the Commons not insisted on.

House adjourned.

HOUSE OF COMMONS,

Tuesday, August 15, 1848.

Minutes.] Public Bills.—2° Controverted Elections; Local Acts; Commons Inclosure (No. 2).

Reported.—Militia Pay; Out Pensioners; Parochial Debt and Audit; Sheep, &c., Importation Prohibition.

3° and passed:—Steam Navigation.

Petitions Presented. By Mr. George Hamilton, from the Protestant Inhabitants of the United Parishes of Omey and Ballindoon, in the County of Galway, for Encouragement to Schools in Connexion with the Church Education Society (Ireland).—From the Clergy of the Diocese of Elphin, Ireland, for an Alteration of the Poor Law (Ireland).

PAROCHIAL DEBT AND AUDIT BILL.

On the Motion for bringing up the Report,

Mr. C. BULLER stated, that the object of this Bill had been much misunderstood. It did not increase the power of the Poor Law Commission, or aggravate the severity of the present law. On the contrary, it limited the one, and decreased the other. Its object was, in fact, to authorise certain payments of the boards of guardians not allowed by the strict letter of the existing poor-law. The present system of auditing had had the effect of making the law unduly stringent upon this head. The fourth clause was the most important one in the Bill, giving, as it did, power to the Commissioners to hear and decide on appeals with reference to allowances and disallowances, and to decide upon the merits of each individual case. He had received from all parts of the county general expressions of satisfaction at the provisions of the Bill, and the prospect they held out of mitigating many of the severities complained of under the present law.

Report received.

House adjourned at Five o'clock, there being only thirty Members present.

HOUSE OF COMMONS,

Wednesday, August 16, 1848.

Minutes.] Public Bills.—1° Unlawful Oaths (Ireland); Chancery Proceedings Regulation.

2° Labouring Poor (Ireland).

Reported.—Sheep, &c. Contagious Diseases Prevention.

3° and passed:—Militia Pay; Out Pensioners; Sheep, &c., Importation Prohibition; Tithe Rent Charge, &c. (Ireland) (No. 2).

Petitions Presented. By Sir R. H. Inglis, from the Town of Youghal, and its Vicinity, for declaring the Agitation for Repeal of the Union with Ireland to be High Treason.—By Lord Alfred Hervey, from Inhabitants of Brighton, for Adoption of Vote by Ballot.—By Sir R. H. Inglis, from the Village of Wolvey, Warwickshire, for Discouragement of Idolatry in India.—By Mr. Octavius Duncombe, from the Township of Hawes, Yorkshire, for a Better Observance of the Lord's Day.—By Mr. Pole Carew, from several Persons connected with the Mines in Cornwall, against the Copper and Lead Duties Bill.—By Mr. Cobden, from the Inhabitants of Henley-upon-Thames, Oxford, in favour of a Revision of Taxation.—By Mr. Spooner, from the Trustees of the Rugby Charity, for Exemption from the Charitable Trust Regulations Bill.—By Dr. Bowring, from Inhabitants of Heywood, Lancashire, in favour of Secular Education.—By Mr. Cardwell, from the Proprietors of Bedford New Mills, in the Parish of Leigh, Lancashire, for an Alteration of the Factories Act.—By Mr. Christy,

from Alexander Isbister, for Inquiry into the Conduct of the Hudson's Bay Company.—By Mr. Cobden, from Robert MacTaggart, late Schoolmaster under the Poor Law Board at Norwood Pauper Industrial School, for Inquiry respecting his Case.—By Sir W. Somerville, from John Classon, of the City of Dublin, for Licensing the Omnibus Carriages of that City.—By Mr. Hume, from Frederick William Campin, of 210, Strand, for Alteration of the Law respecting Patents.—By Mr. G. Hamilton, from the Clergy of the Diocese of Elphin, Ireland, for an Alteration of the Poor Law (Ireland).—By Mr. Octavious Duncombe, from the Board of Guardians of the Helmsley Union, Yorkshire, for an Alteration of the Poor Law Union Charges Bill.—By Mr. William Lockhart, from the Presbytery of Hamilton, Lanarkshire, against the Registering Births, &c. (Scotland) Bill.

SHEEP, &c., IMPORTATION PROHIBITION BILL.

On the Motion for the Third Reading of this Bill,

Lord GEORGE BENTINCK could not but take occasion to offer his thanks to Her Majesty's Government; indeed, it would be the height of ingratitude on his part did he not, in the name of the farmers of England, render to the right hon. Gentleman, the President of the Board of Trade, his and their thanks for—and congratulations on the courage with which he had come forward to take this—the first retrogressive step—this, the first step towards the repeal of their free-trade measures. The House would not forget that the right hon. Baronet the Member for Tamworth, the source whence the right hon. Gentleman and the noble Lord opposite derived their commercial policy, had at a time when mutton was 7*d*. per pound, thought it right to admit duty free the sheep of Germany as a benefit and a boon to the poor people of this country. But what had been the consequence? Only 100,000 or 120,000 sheep had been imported in the course of two years—in fact, about two days' supply for Smithfield market, and now in the second year of free trade, they found Her Majesty's Ministers obliged to come forward with a measure prohibiting the importation of the agricultural produce of foreign countries. And why? Because the great boon of free trade had been the means of importing into this country a foul, fatal, and contagious disease, which, as they were told on the high authority of the hon. Member for Westbury, had ravaged the flocks of Germany for many years, and which, according to the authority of the inspector of sheep at Norwich, was unknown in England until September last—a disease so fatal in its consequences that the inspector in question stated that in no instance less than 25 per cent, and in many cases upwards of 80 per cent, of the sheep attacked were destroyed—a disease by which one farmer lost eight score of sheep in four days, and the Marquess of Salisbury no less than 1,800—a disease so fatal that he could not, he repeated, but be deeply grateful to the right hon. Gentleman for stepping forward to put a stop, if possible, to its ravages. The scientific name of the disorder in question, was, he understood, the *variolum ovina;* but it had acquired a more popular, though less classic denomination—as, instead of being literally translated "sheep's small pox," it was known by the last monosyllable of the phrase, to which, however, had been appended by the grateful farmers, in order to insure the appellation being duly distinctive, the name of the right hon. Baronet the Member for Tamworth. Well, so extremely virulent was this disorder—he need not give it its popular agricultural name—that, after it had broken out amongst a flock, the hurdles within which they had been bent, would communicate the contagion for weeks or months to any healthy sheep which might come in contact with them. He had now, then, to thank the right hon. Gentleman for this first step towards the repeal of his free-trade measures, and he hoped it would not be the last which he would bring forward in order to render nugatory those free-trade acts which had been productive of so much alarm and so much mischief.

Mr. LABOUCHERE acknowledged that a compliment proceeding from the noble Lord was so rare that it certainly came upon his ears with a pleasing sound; and if in this instance he could honestly accept it, he would be happy to do so. But he did not think that the noble Lord was justified in saying that he had shown any courage in departing from the principles of free trade when he introduced this Bill—not the most ardent free-trader would contend that free trade implied the admission of diseased stock, or of articles, whether living or dead, which would be likely to spread contagion or generate disease. He would take the opportunity of saying that he had recently received from our consuls abroad valuable statistical information on this subject, to which he wished the attention of the agricultural public to be directed. The general impression among our consuls was, that the only real way of checking the progress of the disease was by inoculation. Every other way was ineffectual; but inoculation was found to reduce the rate of mortality to a very small amount. There was a prejudice among veterinary surgeons against inoculation, he believed; but in foreign countries, where they had the benefit—if it could be called a benefit—of experience, the universal conclusion was, that inoculation was the only real preventive against the spread of the contagion.

Bill read a third time and passed.

SUPPLY—INTERVENTION IN ITALY.

House in Committee of Supply.

On the question that 57,500*l.* be granted to complete the amount required for the salaries and expenses of the Foreign Department, being proposed,

MR. DISRAELI said: Whatever may be the justice of some complaints we have heard from Her Majesty's Ministers as to the time of this House being occupied by too much discussion—complaints, by the by, which I cannot admit to be valid—there is certainly one Member of the Government who, I think, has no right whatever to join in those complaints. I think that the Secretary of State for Foreign Affairs, so far as his department is concerned, cannot for a moment pretend that any criticisms on the policy which he has recommended, or of the transactions which have occurred abroad, have given rise, during this momentous and protracted Session, to any very frequent or prolonged discussions. Indeed, though this year has witnessed, throughout Europe, events more important than probably have occurred within the recollection of the vast majority of this House, I cannot at this moment recall more than two occasions on which the attention of this House has been called to anything connected with our external relations. For one of those occasions I confess that I myself am responsible; but in that instance I was warranted in calling the attention of the House of Commons to the circumstance that an ancient ally had claimed the fulfilment of a guarantee from England; and the sympathy expressed by the House when I ventured to make those observations on the position of England and Denmark, at least showed that, however imperfect my advocacy of that subject may have been, it was not considered by the House intrusive. There was another instance of a discussion on foreign topics; and I should be very much surprised if any Member of the Government can for a moment pretend that the discussion which then took place was an unnecessary one. It is in the recollection of every Gentleman that a very remarkable incident occurred at the capital of one of Her Majesty's allies—that a Minister, who may be styled the virtual representative of the Queen of England, was expelled from that capital; and I do not think that the House of Commons, or our constituents, or Her Majesty's Ministers, can for a moment maintain that some observations on an event so remarkable, almost, I might say, unequalled, constituted any surplusage of discussion in this House. In both those cases the discussions, so far as any allusions to the Government were concerned, were conducted in any other spirit than that of party acerbity. Notwithstanding the important events which had occurred, and the favourable opportunities offered to the Opposition, and which at another time and in another age, I doubt not, would have been readily seized, there have been only those two very legitimate occasions on which subjects connected with our external relations have been brought before the House; and, certainly, in both those instances Her Majesty's Ministers have no right to complain of the spirit in which those discussions were conducted, or of the objects which they sought to attain. I now feel it my duty to call the attention of this Committee to another branch of our foreign relations, and one to which, from its vast importance and the consequences to their constituents that may ensue, I conceive it is incumbent on them to give their earnest consideration. The subject to which I wish to call the attention of the Committee is the state of Italian politics, and our relations at this moment with the Italian States. It had been my intention, on looking over the various items to be brought before us on these miscellaneous estimates, to have called the attention of the Committee to the subject on the vote of money for one of the Ministers of the Crown, namely, the Lord Privy Seal. I had thought that that would have been a very appropriate occasion for introducing this interesting subject; because he is an individual who has figured in a very conspicuous manner in the transactions which have taken place in reference to Italy; and because it will be totally impossible to place the circumstances fairly before the consideration of the Committee without adverting to that nobleman. But on reflection it appeared to me that this would give to the observations I wished to put before the Committee and the country too personal and invidious a character. Her Majesty's Government, of course, are responsible for all that the Lord Privy Seal did; and therefore it appeared to me that it would be a fairer occasion, on the vote of money for the maintenance of the Foreign Office, to bring the question before the Committee. At the same time, it is impossible, however brief and condensed my observations on the subject may be, to forget the operations of the Lord Privy Seal in Italy. They commenced before the occurrence of those important events by which their interest has been in a great measure absorbed; but all the transactions in which he was concerned are intimately connected, and even involved with everything which has subsequently happened. Last August, the Lord Privy Seal went on a very peculiar and roving mission. He went, I believe, to teach politics in the country in which Machiavelli was born. It seemed to be thought that the princes of Italy were so ignorant of their own affairs that they required counsel, and that, in fact, it was necessary to take a position with respect to these Sovereigns different from that which we adopted in our communications with other potentates. We had several Ministers Plenipotentiary, and other diplomatic agents of a subordinate rank in Italy; but it was thought necessary to communicate with the Sovereigns of Italy by no less a personage than a Member of the Cabinet—one who would not wait for instructions in order to meet cases of emergency, but who was, in a certain sense and degree, a portion of that original inspiration which is to guide the conduct of the Foreign Department; familiar with the whole scope and scheme of Her Majesty's Ministers in respect to these delicate and difficult affairs; and who, therefore, with a large discretion —I might almost say with an illimitable discretion—might prevent the occurrence of many menacing circumstances in that country, and lay the foundation for a state of great and acknowledged prosperity in the Italian Peninsula. It is a curious thing to put before the Committee in the briefest way the principal objects of this important and peculiar mission, and then to place before the Committee its results. Lord Minto had very important objects to achieve in the north of Italy. There was a great uneasiness in Italy, and a great apprehension on the part of Her Majesty's Ministers, that Austria, for example, actuated by unnecessary fear, would invade the dominions of the King of Sardinia. The first object, then, of Lord Minto was to induce the Austrians not to invade the Sardinians; and, so far as that object is concerned, the result has been that Lord Minto was perfectly successful; and all that happened was, that instead of Austria invading Sardinia, Sardinia invaded Austria. Crossing the Apennines, Lord Minto found himself in the centre of Italy, and engaged in a delicate and peculiar negotiation with a potentate whom, in deference to my hon. Friend near me (Mr. Spooner), I will not particularly designate. This was undertaking a considerable achievement; for, really, to solve the difficulty that had perplexed the Cabinets of England from the days of Queen Elizabeth to those of Queen Victoria, and to settle the question how to communicate diplomatically with his Holiness the Pope, was an object worthy of the mission even of a Cabinet Minister, and the solution of the question must have presented very great claims to the applause and confidence of his Colleagues. And Lord Minto appears to have succeeded in his object; for at the commencement of the Session no less a personage than the Lord President of the Council, with breathless haste, informed the House of Lords that he must immediately introduce a Bill to establish diplomatic relations between the Court of St. James's and his Holiness the Pope. I believe that the usual forms of the House of Lords were not observed on that occasion. I believe that the Bill was absolutely brought in without notice, and the usual lapse of time between the first and second readings was waived in February on account of the urgency and exigency of the case. What has been the result? The Bill did not pursue its course with the rapidity which at first was pretended to be absolutely necessary; and for this reason—that at the very moment when, under the successful management of the Lord Privy Seal, England had resolved to revive diplomatic relations with the Pope, it seems that the Pope, as a temporal prince, had ceased to exist. I suppose that by some of the last bulletins there is a chance of his Holiness yet exercising some doubtful authority; since, at the end of the Session, this Bill, brought in with breathless haste, has now, when August is far advanced, apparently stole again into a little legislative life, and there is a possibility of its being reintroduced to our notice. Observe, then, that Lord

Minto was eminently successful in the north of Italy in preventing the invasion of Sardinia by Austria, inasmuch as Austria was invaded by Sardinia; and was also successful in the centre of Italy in establishing diplomatic relations with a potentate who has no longer any diplomacy at his command. There is another portion of Italy, in the extreme south, in which the labours of this eminent diplomatist were also employed; and this was in the kingdom of the Two Sicilies. It has been said on high authority that Lord Minto was invited by the King of the Two Sicilies to favour him by his counsel, and to interfere in the management of his kingdom. It is very possible. The Lord Privy Seal, like many other eminent performers, was "starring it" throughout the Italian States, and, having been so successful in his previous engagements at Milan and Rome, there came an invitation to him that he should also exhibit at Naples; and the result of the noble Lord's performances in the south of Italy was no less successful than in the north and centre of that country. Called in by the King of the Two Sicilies to remove some misconceptions which existed between his two kingdoms, the noble Lord laboured hard to support the legislative union that subsisted between Naples and Sicily, and his labours resulted not only in the severance of the legislative union, but also in the destruction of the political connexion. Far be it from me to offer any unnecessary criticisms on the defunct campaign of this eminent diplomatist. I only wish the House to understand that the present Government are not new hands in diplomatic interference in Italy; and that they cannot come forward and tell us that in consequence of the important events that have occurred they were obliged to undertake, on a sudden, and without that consideration generally demanded in such cases, interference in that country. They had been trying their hand at it for a considerable time before the great revolutions occurred there. The result hitherto has been more interesting than successful. Now, I understand, from the noble Lord at the head of the Foreign Department, that, not profiting by what has occurred, the noble Lord is going again to open a second campaign in Italy—he is going to mediate in Italy in conjunction with another country; and I think that it is a very legitimate subject for inquiry, and I am but performing my duty to my constituents and to this House, if I take this opportunity of inviting the Government to give us some information as to their objects and their motives. The noble Lord opposite informed us the other night—and we have since been informed by every organ of information—that England and France are going to mediate in respect to the affairs of Northern Italy. Now, I think I am but making a legitimate inquiry of the noble Lord if I ask him to inform the Committee—1st. What is to be the principle of this mediation? 2nd. What is to be the nature of this mediation? and, 3rdly, What is the end proposed to be attained by this mediation? These appear to be three inquiries which it is our duty to pursue, and to invite Her Majesty's Ministers to respond to. First, with respect to the principle of this mediation, the principle may be of a political character. For instance, there may be a desire to prevent the effusion of blood occasioned by a very prolonged and hopeless contest; or a wish to put an end to a state of things injurious and inconvenient to the merchants of this country; the interests of commerce and the interests of humanity are generally inseparable; and these might prompt a Minister to interfere in a particular case. These are not circumstances that would apply to the north of Italy; there is no effusion of blood to stop, and there are no commercial interests which require defence; and if the noble Lord is to mediate there between the Emperor of Austria, for example, and the King of Sardinia, or between the Emperor of Austria and his own subjects, the noble Lord, mediating on a political principle, will have an easy task, for the circumstances are simple, the means are obvious, and the result very clear. The noble Lord will be guided by the doctrines of the law of nations and the stipulations of existing treaties. He will take down Vattel, and look to the Treaties of Paris and Vienna, and when he finds the Emperor of Austria in possession, and peaceable possession, of the dominions which those treaties secured to him, and the King of Sardinia also in possession of the dominions which those treaties secured to him—when he finds, as regards these two Powers, that there is no principle of public law which is at all in controversy, the noble Lord may shut his books, and his mediation will be a nullity. He will find that he has nothing to do; and he will be informed at the outset that all is concluded in a manner satisfactory to Europe; and which would have occurred if the noble Lord had never opened his mouth. But we can hardly conceive that a statesman so able and so experienced as the noble Lord should announce to the Parliament of this country that he is going to mediate in the affairs of the north of Italy, merely that himself may announce to us that he has done nothing; and therefore I apprehend that the noble Lord, instead of mediating on a political principle, is going to mediate on the dangerous principle with which he sometimes plays, and which I on a former occasion took the liberty of calling a sentimental principle. The sentimental principle in the management of foreign affairs in the present day is to develop the principle of nationality. The noble Lord is going, then, to mediate in the affairs of Italy on the sentimental principle of developing nationality. Now, I beg the Committee to remark into what inextricable difficulties and dangers any encouragement of such a course on the part of the noble Lord must lead this country; and this is one of the principal reasons which induces me to bring the state of Italian affairs under the notice of the House. If it be necessary, on the sentimental principle, that Lombardy should be in the possession of the Lombards, and that the presence of an Austrian should not be tolerated there, on what ground can you justify an arrangement by which the Austrians are to retain the whole of Venetia, a territory as extensive as Lombardy, and far more important? If the noble Lord is the disciple and preacher of the principle of nationality, and if upon that principle he is going to advise the Emperor of Austria to relinquish his dominions in Lombardy, on what ground can he refuse to develop the idea completely, and recommend his Imperial Majesty to relinquish his whole hold on the Venetian territory? And how can the noble Lord be the preacher of the sentimental principle of nationality in Lombardy, when in the north of Europe he is—as he is bound to do—defending the interests of Holland and Denmark against invasion founded upon and justified by this very same principle of nationality? I want to know, also, how the noble Lord intends to act, as far as the sentimental principle is concerned, if he has an application for his mediation from a most powerful and interesting kingdom, which, four months ago, announced that it might probably call for the mediation of England—I mean the kingdom of Hungary. There are in that country four races—the Magyars, the Sclavonians, the Germans, and the Wallaks. Now, does the noble Lord intend that three of these races shall quit Hungary, and that the predominant power in that kingdom shall be secured to the fourth? If this House does not take the earliest opportunity to discourage the sentimental principle in settling the affairs of nations, I am convinced that we shall be involved in difficulties which it is impossible to contemplate; for I believe that such a policy, if it be fairly developed, will really resolve Europe into its original elements, and will not leave any social or political system in existence in the form which it now assumes. So far as to the principle upon which this mediation—of which we have heard so much, and which has been so ostentatiously announced to us—of England and France in the affairs of Northern Italy is to be conducted, I repeat, that I wish to learn from Her Majesty's Ministers what is to be the principle of that mediation—whether it is to be a political principle, founded upon the law of nations and the stipulations of treaties, or upon this modern, newfangled, sentimental principle of nationality, which will lead to inextricable confusion, and difficulty, and danger. Now, Sir, I come to the second point. I want to know what are the means by which this mediation is to be carried into effect. Is it to be an armed mediation?—because, if it is an armed mediation, the Emperor of Austria being in possession of his States, and the King of Sardinia being in possession of his States, war, as I am informed, not being waged at this moment between these Sovereigns—the armed mediation of England and France in Northern Italy would be an invasion, and the mode by which we are going to secure peace is by commencing war. But if it is not be an armed mediation, is it to be a mediation only of good offices? Then I leave it to the Committee to decide what prospect we have of success, when we go to the Emperor of Austria, and as friends — merely as friends — recommend him to relinquish the dominions he has gained by great sacrifices, by the display of great valour on the part of his troops, and which he has held for three centuries, perhaps never with a firmer grasp than at this moment. As regards the means of mediation, then, an armed interference is an invasion and a war; while an interference of good offices in an utter nullity. So much, then, as to the principle of the mediation; and so much as to the means by which the mediation is to be carried into effect. And now I wish to ask Her Majesty's Ministers what is the end they propose to attain by this mediation? What do they mean to do with Lombardy when their ancient Ally, in deference to their kind offices, has relinquished that part of his dominions? Do they mean to swell the territories of the King of Sardinia with the possession of that duchy? Is the return for that nocturnal attack which he made upon his neighbour to be the increase of his authority and power? When you remember the circumstances of the case—when you remember that the King of Sardinia made war without declaring war against the Emperor of Austria—that he was at the very time in friendly and confidential communication with the Austrian Cabinet—that in consequence of conduct so unjustifiable, he has received most signal punishment and discomfiture—and that it is only from a deference to the feeling of Europe on the part of Austria that he is allowed to remain in possession of his own capital—I do not think there is any Minister, even at Frankfort, who would recommend a proposition so preposterous. Then, what will you do with Lombardy? Will you establish an independent and weak State in the north of Italy—a source of perpetual disquietude, contiguous to two powerful military neighbours, perpetually quarrelling, and perpetually calling for foreign interference? In what form do you mean to establish, by this announced mediation, this free and independent State? It is, of course, to be a republic. You cannot have a King of Lombardy. Is it for the interest of England or of Europe that you should diplomatically establish a republic there? And if a republic, what sort of republic do Her Majesty's Ministers recommend? Is it to be a revolutionary republic, or a conservative republic?—a red republic, or a white republic?—a republic with a red cap, or a republic with a white feather? That is a point upon which the country is extremely anxious to receive some information. I think, then, I have shown the Committee that there are three points on which we are authorised to require information from Her Majesty's Ministers. The Government, let me remind the Committee, have announced the joint mediation of England and France in the affairs of Northern Italy; and I think they are bound to tell us the principle upon which that mediation is founded, the means by which it is to be carried into effect, and the end which it is proposed to attain by such mediation. Now, Sir, there is an object for that mediation, as I am informed, which Her Majesty's Ministers will not announce. It is the secret object of many transactions which are very perplexing to the public eye. The object of this joint mediation in the affairs of the north of Italy—when there is nobody to mediate between, and when there is nothing to settle—is to prevent the invasion of Italy by the French. Well, Sir, I have no hesitation in saying that I think the invasion of the north of Italy by the French is an event much to be deprecated; and if Her Majesty's Government, with all the advantages of the recent experience of the Lord Privy Seal, can devise means by which such a result can be prevented, they will, no doubt, have cause to plume themselves as statesmen. But the House must recollect that France has no right whatever to interfere in Italy. It would be a violation of every principle of public law, and of every treaty which exists with reference to the Italian States. I am myself of opinion that France will not invade Italy. I do not think it is for the interest or for the honour of France that she should invade Italy; and I very much deprecate even a controversy as to the contingency of an event which would be most disastrous to the world, and most unjustifiable on the part of France. As regards Italy, and as regards Europe, France has not the colour of a quarrel or a case in this respect. I wish I could say that, as regards England, France was in the same position. I admit that she is not; I admit that the conduct of our Government with respect to Italy affords a precedent to France. It does not justify France in violating the law of nations; it does not justify France in violating treaties; it does not justify France to Italy or to Europe; but it does unfortunately justify France to the Cabinet of England. If the noble Lord were to make an appeal to the French Minister in England on this subject, the French Minister could refer to circumstances which might give the colour of a pretext and a precedent to France—I allude to our conduct with regard to Naples. Now, let me remind the House that the ultimate result of the cordial co-operation between the Lord Privy Seal and the King of the Two Sicilies is, as far as we can obtain information, the following, namely, that the King of the Two Sicilies having prepared a powerful army to chastise his rebellious subjects—just as the Emperor of Austria had done—suddenly found an English fleet in the Bay of Naples announcing to him that his rights as a Sovereign, so far as regarded Sicily, had ceased to be acknowledged by the English Government. The English Government, it appears, animated by that principle which governed the mission of Lord Minto—an extreme desire to consolidate the kingdom of the Two Sicilies, and to put an end to all misconception between the subjects of His Majesty—have been so condescending as even to approve of the independent Sovereign who is to govern Sicily, in violation of the rights of the King of Naples. They have criticised the appointment; they have approved of the individual; they have communicated with the rebels against the King of Naples by servants of Her Majesty the Queen of England; and, finally, they have sent a fleet which prevents the King of the Two Sicilies from asserting his sovereign rights. Now, it does appear to me that if France wished to invade the north of Italy, France, being in possession of these facts, would have a very good case. [Lord John Russell: They are not facts.] These are not facts, says the noble Lord. This is, at least, a fact—that when the noble Lord was asked whether the English fleet had received instructions to prevent the Neapolitan army from invading Sicily, in order to assert the rights of the Sovereign, he refused to answer the question. The Lord President, in another place, also refused to answer a similar question. It is at least a fact; for it has been admitted by the Chief Minister in another place, that we did interfere in the affairs of Sicily so far as to recognise the possibility of Sicily becoming an independent State, to indicate the form of government which we recommend, and even the individual of whom we approved as the Sovereign. The noble Lord will not say these are not facts. Then, the case of interference is complete with regard to the south of Italy; and what answer could we make to France if there was a French invasion of the north of Italy? I will make this admission to Her Majesty's Ministers. Unjustifiable as I, with great unwillingness, conceive their conduct to have been with regard to Naples, and injurious as is that precedent, I do not believe that it will in the present instance serve as a precedent for the invasion of the north of Italy by France; and for this reason, simple and satisfactory, that I do not believe there is the slightest wish at this moment on the part of the French Government to invade Italy. But, nevertheless, I protest against the precedent to which any Government may afterwards appeal. I believe all that the French Government at this moment desire is, that by availing themselves of a forced occasion, they may give to Europe and to the world an idea that there is a cordial co-operation between the Cabinets of Paris and of St. James's. Hon. Gentlemen may say, "What is the harm, then, of the French Government availing themselves of this forced occasion?" The harm is this, that these forced occasions have been used before, and they have never been used by the French and English Governments united, but at the expense of the rights of some third and independent Sovereign. Now, I do not wish my opinions to be misapprehended upon this great point. If you mean, by an alliance with France, by a cordial understanding with France, or whatever other phrase you may use, that those important affairs and those great events which periodically and surely occur in the world, should be regulated and managed in concert by these two leading nations, after previous counsel, animated by a wise spirit of concession and compromise, and leading to a cordial co-operation, that is a system of which I shall ever be a feeble but a warm supporter. It is not a new principle in the history of this country, though of late years it has been announced in this House as if it were some novel discovery in politics. If you take a general view of the modern history of this country and of Europe—I mean for the period during which the great treaties have been entered into, and those important events have occurred which have moulded the world in which we live—you will find that hostility between this country and France is the exception and not the rule. During the last two centuries and a half, for more than two-thirds of that interval a cordial understanding and a close intimacy have subsisted between the English and French Governments. It was the principle of the Cabinet of Queen Elizabeth, who managed the affairs of Europe in concert with the most eminent of the Bourbon princes, Henry IV. It has been brought forward as a charge against the Lord Protector that he was of the same opinion as Queen Elizabeth upon this subject. But, at any rate, a policy which was sanctioned by the sagacity of Elizabeth, and by the prudence and wisdom of Cromwell, is at first sight a policy which cannot well be considered erroneous or feeble. I need not remind the House what was the policy of England on this subject on subsequent occasions; but this I may take the liberty of saying, that the two most eminent statesmen of the last century, who agreed upon no other subject, who were rivals in eloquence, who were rivals in their career, who were opposed in every principle of politics—Lord Bolingbroke and Sir Robert Walpole—were both supporters of a close alliance and cordial understanding with France as the basis of our policy. Although Lord Bolingbroke was at the time the victim of the much maligned treaties of Utrecht—as wise arrangements as ever were contracted—no sooner was the Whig party rooted in power, and no sooner had they produced a great Minister, than Sir R. Walpole pursued the same policy, and for twenty years secured the peace of the world and the prosperity of this country by a cordial understanding with the French Minister, Cardinal Fleury. I call these things to recollection to show that, as far as I am concerned, I am not attempting to oppose Her Majesty's Ministers because they are the advocates of a cordial understanding with the French Government, abstractedly considered as a principle of English politics. The noble Lord at the head of the Government told us the other night that the peace of the world was to be maintained by the co-operation of the powerful Government of England, the powerful Government of Russia, and the powerful Government of France. I believe, Sir, that the Government of France is a powerful Government, though I then reminded the noble Lord that he had not deigned to inform the Parliament of England that he had recognised its existence. The Government of France is powerful, and for this simple and single reason—they have transferred the government of Algiers to the streets of Paris. The Lord High Protector of Equality has recently executed a monster *razzia* on the fraternal multitude. Well, Sir, that is a Government that may be performing its duty. General Cavaignac or his successors may have to repeat, and probably will repeat, their exploits; but if the noble Lord, under the plea of a cordial understanding with the French Government, is going to repeat the steps which unfortunately former Governments in England, under similar circumstances, have taken, I am convinced they will end, as they have previously ended, in disappointment and discomfiture. A natural alliance, a cordial understanding, arising from the circumstances that occur in Europe, are the bases of mutual co-operation and conduct; but an understanding which is only founded on forced occasions and forced opportunities—occasions invented, and opportunities devised, in order to show to the world that there is a co-operation between the two countries—the incidents invented to justify and occasion the co-operation—instead of the co-operation arising from the natural production of the events—that is an understanding and that is an alliance which, before this time, has occasioned the greatest evil, and which, in the present case, might lead to the greatest possible disasters. The noble Lord tried this system before, in the years 1830-32. He had then much more favourable circumstances to deal with than is the case at present. He was at least placed in co-operation with a Sovereign, who, whatever may have been his errors, did succeed in bridling, for a period of seventeen years, the Jacobin tiger; a man without question of great sagacity, certainly of unrivalled experience, born and bred a prince, with a knowledge of the law of nations, and conversant with the traditions of great Cabinets. Yet, how did that system end? It led to the tricoloured flag floating from Ancona and Antwerp; to interference in Spain, in Portugal, in Greece; it troubled the commerce of England in the Atlantic and the Pacific; it established blockades in South America; and the same system of factitious alliance (I do not taunt the noble Lord for it—it was the spirit of our policy, and was adopted by his predecessors), was the real cause of all those disturbances in the waters of La Plata to which I called the noble Lord's attention the other night. Sir, I protest against this system. I protest against a mediation in the north of Italy, where there is nothing to mediate about, merely to show that there is a cordial co-operation between France and England. I am convinced that if the House of Commons sanctions this policy, you will find interference in every quarter, and discontent in every State; that, instead of the alliance between France and England being a security for peace, that alliance, that understanding—phrase it as you will—that mutual concert, will lead inevitably in the end to war. And what are you doing this for? You are doing it because you have created a bugbear of your own, namely, the impending invasion of Italy by France. France, I repeat, has no right to invade Italy. France, I say, has no interest at this moment in invading Italy. Hon. Gentlemen talk of the invasion of Italy by France, as if it was an incident which might happen on any summer's day by an order sent by the telegraph. What is the invasion of Italy by France? Even to give France a chance of success, in the present position of Italy, she must cross the Alps with at least 100,000 men. She must do much more than that; the very day she crosses the Alps with 100,000 men, she must advance an army not less numerous to the banks of the Rhine, to meet there the indignant spirit of Germany, forgetting in a moment all the nebulous mysticism of "nationality" in the fervour of a real patriotism, and fierce with the fiery recollection of its desecrated hearths. She must meet more even than that Germany; she must meet Russia, at this moment not so powerful from her armies as from her moderation, her wisdom, and her justice. Even every secondary Power in Europe will be prepared under such circumstances to meet the traditionary outlaw of nations, engaged in a quarrel without law, without justice, without necessity. And how is France to send out these armies? How to meet these powerful foes? How is France to act in this frantic and illegal manner? What is her position at this moment, that enables her to send out these mighty hosts, to conquer the whole world in arms? She has 50,000 men guarding her metropolis; she has achieved a freedom upon paper, and it is secured in her streets by her artillery. She has 50,000 men encamped at Lyons. She has an army of occupation in every great city, under the plausible name of "extraordinary garrisons." Where, then, are these two invading hosts, that are to conquer Italy and Germany—to prevent whose appearance the noble Lord is going to enter into mock mediations, to encourage artificial alliances, factitious understandings, and to sacrifice the rights of our allies? Why, Sir, if France withdraws her domestic legions to invade the world, the whole of her town population will rise to advocate the interests of that model republic which, perhaps, Her Majesty's Ministers are going to establish in Milan. If France increases her armies, she increases her taxes, already enormous and excessive; and the whole of her provincial population will march to Paris to prevent the continuance of a system as absurd as it is iniquitous. That is the condition of France. If she moves the armies which she now possesses, she has the whole of her urban population in revolt; if she increases those armies, the whole of her provincial population will rise against a government of oppression. Torn by domestic factions, with an empty exchequer, a paralysed credit, and a people without enthusiasm, why are you to suppose that France is going to conquer the world, and why, to prevent that, are you going to sacrifice your allies? Sir, the system of mock mediations is a system which this country ought not to encourage. The course which the noble Lord has to pursue, if he wishes to secure the peace of the world and the greatness of his country, is one which, I believe, the noble Lord is quite competent to pursue; he has the abilities, the knowledge, and the courage, that qualify him for the task; and if he is hindered, it is only by an adherence to a system of policy which he has pursued before, and which ended only in mortification to himself, and destruction of his then ally; for I believe the Throne of France would never have fallen had it not been for those forced occasions of mutual co-operation which led eventually to mutual distrust and discomfiture. The noble Lord has at this moment one course, the only course proper to take, the only course which an Englishman should adopt; let the noble Lord merely tell the world that under his counsels England will maintain the principles of national law; that England will observe the stipulations of existing treaties; that she will not authorise, by her sanction, any outrage of the rights of nations; that she will not counsel any of her allies to yield their legitimate interests in order to gratify the morbid vanity of an ill-regulated society; and then the noble Lord will take a position which will gain for him the confidence of statesmen, the sympathy of sovereigns, and the hope and trust of suffering nations. But if the noble Lord takes a contrary course (I am most unwilling to believe that he will), it will be a course—I will not say fatal to his Government, because that may not be so great a consideration in this House, though I should be unwilling to see that Government disturbed—but it will be a course fatal to his reputation and injurious to his country;

and these are considerations which I am sure influence him. I protest against the attempt to regulate the world by a contrived concert with the Jacobin party; I style them the Jacobin party; I know I was called to account in my absence by the hon. Member for Montrose, who said that name was past, and he used another to describe them—one often used to describe their system; I recognise the same features as of yore, I observe the same character and system; it is the old leaven, and I use the same name. It is the system that commences with "fraternity," and ends with assassination; it is the system that begins by preaching universal charity, and concludes by practising general spoliation. I do not care who the individual may be—whether it be M. Ledru Rollin, or whether it be the gentleman who shakes hands with M. Ledru Rollin. I cannot recognise such persons as the French nation, or as that France with which I would wish my country to be in alliance and cordial understanding; and I am persuaded that if the noble Lord pursues this system, it will very rapidly make this country of the same opinion with myself. The noble Lord has it in his power to act in a manner which will add even to his influence, and to the greatness and the reputation of his country. He may in this craven age assert the principles of public justice in a manner which becomes a British Minister; and he will find that no bandits, whatever may be their position, will cross any mountains or invade any capitals, when they know that England is prepared to uphold the principles of public law. For, Sir, in public as much as in private matters, I have seen enough, and I am sure that every Gentleman from his own experience must have seen enough, to convince him, in the long run, nothing can withstand the majesty of law, the force of truth, and the inspiration of honour.

VISCOUNT PALMERSTON: I certainly do not rise to complain, as the hon. Gentleman who has just sat down seemed to expect I should, that this House has, during the present Session of Parliament, exhibited any undue desire to impede the march of Her Majesty's Ministers in regard to the conduct of the foreign relations of the country by pressing too hardly upon them for disclosures of the course which they mean to pursue, or calling prematurely for explanations as to the course which they may have pursued during the Session. I acknowledge with thankfulness, on my own part and on the part of the Government, the discreet—I must say the judicious — forbearance which this House has shown in those matters. Members of this House have, rightly no doubt, considered that the public interest is frequently best consulted by allowing to the Government of the day the free exercise of their own discretion as to delicate and important transactions with respect to foreign countries, reserving to themselves hereafter the function of calling to a strict account, as of right they are entitled, and as in duty they are bound to do, those whose conduct may appear to deserve investigation or censure. I therefore am far from complaining either of the course which has been pursued on former occasions, or of the course which on the present occasion the hon. Gentleman has thought fit to take. I am perfectly ready to admit, that at the close of a Session during which events of the utmost importance have convulsed Europe from one end to the other, it is a perfectly legitimate exercise of the rights and a legitimate performance of the duties of a Member of this House, to express his opinions as the hon. Gentleman has done at a moment when, probably, the termination of our labours may not be far distant. Sir, I think the hon. Gentleman has judged rightly in appending the observations which he has made, in regard to the policy of this country with respect to Italy, not on the vote pertaining to the particular office held by my noble Friend the Lord Privy Seal, but to that office which is responsible for the general conduct of the foreign relations of the country—the office, namely, which I have the honour to fill. The hon. Gentleman seems to be better informed, I think, than he chooses to allow the House to infer from his speech, as to the grounds upon which the mission of my noble Friend the Earl of Minto took place. These grounds were, in some degree, those which the hon. Gentleman has stated. The facts were these:—Towards the end of the summer, it is well known, in consequence of the altered policy of the then newly-elected head of the Roman Government, principles of reform and of administrative and constitutional improvements were spreading fast over the whole surface of Italy. Difficulties were experienced between the Governments and the people in regard to the march which those events and those improvements should take. There was no part of Italy in which those difficulties were more strongly and more urgently felt than in the city of Rome. A communication was made to me, certainly not publicly, but from a most authentic source, conveying to Her Majesty's Government the anxious desire of the Government of Rome, first, that an accredited and official agent might be sent from this Government to the Government of Rome, for the purpose of aiding that Government in the difficult and novel task which was partly imposed upon itself, and partly pressed upon it by the population; that, in short, we should send them somebody who, representing the Government of England, might give them friendly counsel and advice in matters in which they might wish to consult him. It was said that there might be legal difficulties in complying with that request; but that if there were such difficulties, and if those difficulties could not then be removed, we should be conferring a great obligation upon the Government of Rome if some individual could go there who, possessing the entire confidence of Her Majesty's Government, and pointed out by his attainments and experience as a person informed upon matters of policy, might be referred to upon occasions on which it should be wished to consult him; and that if such a person could combine with those qualifications considerable diplomatic experience, the Government of Rome would be delighted to receive such an individual in his private capacity and without any official authority. My noble Friend, Lord Minto, was at that time, for objects of his own, intending to pass a short time in Italy; and I thought that I could not better comply with the request which had been made—that I could not better fulfil those intentions with which the request had been addressed to us—than by advising Her Majesty to authorise the Earl of Minto to proceed to Rome in that unofficial capacity, without any diplomatic character; but simply as a Member of Her Majesty's Government, possessing, as the hon. Gentleman has said, the entire confidence of Her Majesty's Government, acting as the eye, the ear, the mind of the Government; capable, from his knowledge of the intentions of the Government, to act upon a sudden, on any emergency that might present itself. I thought I could not render a better service to those parties who might wish for our counsel and assistance, than by urging my noble Friend to proceed, as he did, upon that mission. A similar wish appeared to be entertained by other Governments of Italy to procure my noble Friend's assistance; he was, therefore, instructed to take Turin and Florence on his way to Rome. To the Courts of Turin and of Florence my noble Friend carried letters, accrediting him upon a special mission, if he found upon his arrival that it was the wish of those Governments so to receive him; to Rome, of course, he carried no official recommendation. The hon. Gentleman wishes to know what were the objects which my noble Friend had to keep in view; what was the purpose for which this uncalled-for interference, as he seems to imagine it, was to take place. Sir, the interference was not uncalled for; my noble Friend was to obtrude his advice upon nobody; he was, if wished for, and if asked to do so, to give such counsel as he could, and to endeavour to remove such difficulties as might be pointed out to him. That was the purpose for which he went to those Courts; and that was the purpose which he successfully accomplished. My noble Friend, on the one hand, pointed out to the Governments that they might trust their people, that they need not fear to confer upon them those constitutional institutions which it was the object of their subjects to receive; he pointed out, on the other hand, to those who were most ardent in desiring reform, that they would best attain those national objects which they legitimately endeavoured to pursue by placing confidence in their Governments, and by not urging them too rapidly to change long-established institutions. At Turin and at Florence my noble Friend was eminently successful; and the proof of that is, that great and important changes were made in the institutions of those two States without any convulsion disturbing the public tranquillity, and without any interruption of that harmony between the subject and the Sovereign which we felt that it was so desirable to maintain. My noble Friend's progress was, I should say, almost an ovation; wherever he went he was received with acclamations by the inhabitants—at every Court he was received with open arms by the Government. At Rome his labours were directed to the same object; at Rome his labours were attended with the same success. My noble Friend, when he left this country, had no mission to go to the Court of Naples; we had received no communication from Naples asking for our aid; we did not presume to offer that which was not solicited. But when my noble Friend was at Rome, a communication was made to me by the Neapolitan Minister at this Court, that the Sovereign of Naples would take it as a compliment if my noble Friend pursued his journey from Rome to Naples. My answer was, "He will go if he is invited; he has no instructions to go there, but if he receives an invitation through the Queen's Chargé d'Affaires at Naples, it will be his duty, as it will be his pleasure, to attend to it;" and, in consequence, credentials were sent to him, to be made use of if that occasion should occur. During the unfortunate differences which broke out between the King of Naples and his Sicilian subjects, both the King on the one hand, and his Sicilian subjects on the other, asked for the mediation and intervention of British diplomacy, to endeavour to arrange and settle their disputes; Lord Minto was invited from Rome to go to Naples; to Naples he accordingly went, and he employed himself with great diligence and with the utmost zeal in endeavouring to bring about a reconciliation between the King of Naples and his Sicilian subjects, upon conditions which would maintain the crown of the two countries upon one and the same head. I shall not go now—it would not be fitting that I should—into minute detail of the circumstances which characterised those negotiations, nor shall I advert to more than one event which tended to render them unsuccessful; but, at the critical period when those negotiations were almost brought to a satisfactory conclusion, there arrived at Palermo the news of the revolution at Paris; and I think the House may easily conceive that the announcement of an event of that importance must have considerable influence upon the minds of men. That led to difficulties on the one side, which were not met by concessions on the other; and the result was, that on the one hand the people of Sicily declined any longer to acknowledge the King of Naples as their sovereign; and the King of Naples, on his part, declined to confer the crown of Sicily on one of his sons, to whom that crown was offered. The hon. Gentleman adverted to the part which Her Majesty's Government has taken in the subsequent proceedings of the Sicilians, with a view to elect another prince to be their sovereign: that choice, made by the Sicilians, was purely and entirely spontaneous; they chose the prince to whom an offer has since been made entirely on their own judgment of what would in their opinion be best for the interests of their country. It is immaterial whether that opinion coincided with the opinion of Her Majesty's Government or not; at the time when that choice was made, it was made entirely from their own impulse, and as the result of their own judgment. Undoubtedly Her Majesty's Government, accepting as they do facts and events, have signified that they would be prepared to acknowledge the sovereign whom the Sicilians might choose, when that sovereign should be actually in possession of the territories to which the voice of the people might call him. The hon. Gentleman wants to know what is the intention of Her Majesty's Government in regard to the employment of the naval force of this country now stationed in the Mediterranean, in respect to any expedition which the Government of Naples may fit out and send forth. I am sorry that I can only follow in the steps of my noble Friend sitting near me, and of my noble Friend in the other House, and say that it is not the practice in this country—nor do I think it would be expedient with reference to the public interest to establish the practice—to announce what are the intentions of the Government with regard to events which are taking place on the continent of Europe. Whatever our course may be, we are prepared to defend and justify it—it will be for the House to determine whether or not we have acted properly. Thus much I think I may state with regard to the policy which the Government pursued in respect to the affairs of Italy, as connected with the mission of my noble Friend Lord Minto—that that mission was founded on the most disinterested motives—that the motives which led to that mission had in them nothing that was sordid, or base, or selfish, or ungenerous—and that the only British interest which could be served by that mission was the interest which England, as a great Power, has in preserving peace in the other countries, and of assisting, when invited to do so, in forwarding the progress of civilisation and improvement, and in promoting the happiness and well-being of the world. The hon. Gentleman has adverted to more recent events which have taken place in the north of Italy, and has expressed an opinion that the mediation which this country has engaged in, with respect to the present state of affairs in that part of Italy, in conjunction with France, is a mediation savouring of the nature of an impertinent interference, without object, and incapable of leading to any result. I can only say that the mediation in question is not the result of any spontaneous and intrusive desire of this country to meddle in matters with which we have no concern, but, on the contrary, is the result of the earnest entreaties and applications made to us by all the parties directly or indirectly concerned in the transaction. It is the result of wishes expressed both at the beginning and the end by Austria. I say it is the result of wishes expressed by Austria at the outset of the Italian troubles, and repeated not three days ago; it is the result of wishes expressed by the Government of Sardinia, and by the people of Italy; it is the result of wishes expressed by the Government of France; and I must say, that if, in answer to all these wishes so expressed, we had obstinately and doggedly refused our mediation, I think we should have deserved the censure which the hon. Member conceives himself entitled to throw upon us for the course which we have pursued. The Government of Austria, at the beginning, as I have said, asked for our good offices; and, as lately as the 9th of August, at Frankfort, and on the 15th of August here, that Government renewed the expression of its desire that we should take part in the settlement of these affairs. On the other hand, the Government of France was urgently entreated by the opponents of Austria to interpose military assistance in aid of the Italian cause. The hon. Gentleman says that France has no right to intermeddle in the quarrel. That is a question which, perhaps, it is useless for us to discuss here. Whatever may be the views entertained as to the expediency, policy, and justice of one country interposing in a war waging between other countries; yet, in point of strict right, I apprehend there can be no question, that where two nations are at war, it is competent to a third party to take which side he pleases, if he chooses to engage in the contest. I will not enter into any discussion as to the circumstances under which the war between Sardinia and Austria began. The hon. Member conceives that it was part of the functions of Lord Minto to prevent Austria from attacking Sardinia in the course of last year. That was no part of Lord Minto's mission. It was part of his Lordship's mission to induce the Sardinian Government to abstain from hostilities against Austria, which, at that time, the Austrian Government apprehended, although under circumstances totally different from those under which the Sardinian army subsequently took the field. At that time there was no revolt at Milan, and Austria was in the undisturbed possession of the whole of her Italian provinces; but the Austrian Government having professed to entertain apprehensions of the hostile intentions of the King of Sardinia, the British Government did urge that monarch to abstain from the attempts which he was alleged to have in contemplation. When the late military events took place in the north of Italy, the Government of France was urgently requested to afford instant military aid to the Italian cause. The hon. Gentleman, who maintains that it is, and ought to be, and has been, subject only to partial exceptions, the standing rule for this country to be on a footing of intimate friendship and general co-operation with France—the hon. Gentleman, who believes that to be the policy of England, has been rather unfortunate in the manner in which, as far as he is concerned, he endeavoured to give effect to the community of good feeling between the two countries. I fully admit the soundness of the hon. Member's doctrine, however I may lament the practice by which he endeavours to carry it into effect; and, therefore, I wish myself to forget, and I hope that the French nation may forget, if possible, those parts of the hon. Gentleman's speech, which I think were not calculated to promote union and cordiality between France and this country; for if the hon. Gentleman had intended, as I am sure he did not, to rouse the bitter jealousy of a great nation, and, by wounding its pride, to dare it to do that which the hon. Gentleman said he wished it should not do, and thus to produce the very result which he professes to think injurious to the general interests of Europe and the cause of civilisation, he could not have thrown into the cauldron of national animosities more bitter ingredients, more poisonous drugs, than he infused into his speech upon this occasion. I will not answer in detail what the hon. Member has stated, because I will not run the risk of pointing still more sharply the shaft which he has launched; but the hon. Gentleman is much mistaken, and those who think with him share in his error, if they fancy that there is anything in the present condition of France which makes It impossible for her to take part in any hostile operation which the Government and people of that country may be desirous of embarking in. There could not be a more fatal error than to suppose that recent events have disarmed the right hand of France, and that she cannot now pour her legions over the Alps, as she has done on former occasions, if an united Government and people should determine on placing her in a position of hostility towards any Power beyond those limits. Let not the House imagine, then, that any vain phantom has created uneasiness and alarm on the part of the Government. I confess that we did feel that an interference by arms on the part of France in the affairs of Italy would be pregnant with all those dangers which the hon. Gentleman has not shadowed out, but graphically described in all their magnitude; for instance, the hon. Gentleman said that if France should send an army into Italy, she must also send another to the Rhine —that if Germany took the field against France, Russia would follow in her footsteps. What would that be but an universal European war—a conflagration extending from one end of Europe to the other, and involving in its destructive consequences the most disastrous results to humanity and the progress of civilisation? But when the French Government said to us, "We are pressed to interfere by arms in the cause of Italy, but we do not wish to involve our country in a war—we are willing to endeavour to settle matters by mediation, if you will assist us—it must be a joint effort; that will remove all ground of jealousy, for no one can suppose that England entertains hostile views with respect to Austria; whatever France and England do in conjunction must be a work of peace; it must have the termination of hostilities for its object— upon these grounds we hope you will interfere conjointly with us, and, at least, until we obtain your answer, we will suspend our decision as to the adoption of other measures"—I say that when the British Government was addressed in this manner it would have been most blameable if it had not acted immediately in accordance with the suggestion of France. Those are the motives which led us to enter upon a joint mediation with France. The principle upon which we have acted is the principle of maintaining the peace of Europe. The policy and means by which the end is to be attained resolve themselves into questions of detail, which I feel it my duty to refuse to make public at this moment. The hon. Gentleman taunted the British Government with the co-operation which has at different periods taken place between England and France, and he included within the sweeping range of his artillery not only our camp but that of which I see the right hon. Leader opposite. The hon. Gentleman taunted us, in the first place, with our interference in the case of Belgium and Holland, the result of which, he said, was the despoiling of an allied Sovereign of his undoubted rights. Those who have directed their attention to that case know that the principle on which we acted with respect to it was laid down by our predecessors, under whose administration the conferences were already established which we afterwards conducted during a long but ultimately successful negotion; and our interference originally took place at the request of the Sovereign whose rights the hon. Gentleman says were set aside in consequence of that interference. It was at the request of the King of the Netherlands that the Government of the Duke of Wellington, in connexion with the rest of the five European Powers, undertook conferences and negotiations, and established an armistice between the contending parties, which issued in the result alluded to. The hon. Gentleman says, that the alliance of England and France ought to be the result of events, and that we ought not to invent occasions and create circumstances for it. I quite agree with him; but when, I ask, were occasions invented, and opportunities unnecessarily created? Is it at the present moment? Did we create the mighty convulsion which is agitating Europe from one end to the other? Did we invent the occasion which has led to the common action of England and France? We have acted in this matter in the earnest and anxious hope that the good understanding and action of France and England may prevent the disturbance of the present time from extending from internal conflict to external war —in the anxious hope that we may continue to preserve that peace which, with the most trifling exceptions, has lasted, I may say, for upwards of thirty years, but which has certainly, during the last fifteen years, been peculiarly maintained by the good understanding which has prevailed between the Governments of England and France. For this object we shall be happy to combine with the French Government in endeavouring to extinguish the first sparks of war, wherever they may show themselves, and thus to prevent a conflagration spreading throughout Europe. Notwithstanding the hon. Gentleman's sneers, then, I think that this is conduct of which any Government of England may justly feel proud. As to the particular incidents which the hon. Gentleman passed over in rapid succession, they are all explicable on the general principle to which I have referred. The hon. Gentleman is not correct in his history of some of the events to which he alluded—the expedition to Ancona, for instance, which he conceived to be the result of a violent interference on the part of the two Governments. The Government of France of that day, at least, was not a Jacobinical Government—it was not the Goverment which had imported the *razzias* of Africa into the streets of Paris, but the Government of that Sovereign whose wisdom and moderation the hon. Gentleman has praised in the highest terms. It is gratifying to find that, in spite of the great events which have disturbed the fabric of society in France—which have altered the Government of that country, and which have brought into power in that country men wholly different from those who have of late years wielded the powers of Government there—in spite of those events, which might have been expected to produce great changes in the national feeling and policy of France, there still exists on the part of those who govern France, and I am happy to say on the part of the majority of the French nation also, a frank, loyal, honest, and enlightened desire that the policy of France may find itself in unison with the policy of this country. I must also say that the events of the last few months show the extraordinary progress which civilisation and enlightenment have made in Europe during the last half century. The same events which have lately occurred on the Continent, would, if they had taken place fifty years ago, have involved the whole of Europe in a war of the bitterest nature and of long duration. Now, however, we see, that although in almost every country of Europe events of the most fundamental character have occurred, there still exists in the minds of the majority of men an enlightened and sincere desire for the preservation of external peace. It is consoling to observe the tone and temper of those who are the organs of the French nation in the present Cabinet. Instead of turning the people loose—as was done at the earlier part of their former revolution—to occupy themselves with the affairs of other countries, they are now bent on restoring and maintaining order; and, being so occupied, I think they do not deserve the taunting sneers which the hon. Gentleman has applied to them. The French Government is anxiously, wisely, earnestly, and courageously employed in establishing order—it is working for the prosperity of the French nation, and consolidating the liberties of that country; and I think such a course of conduct does honour to the men so engaged, whatever may have been their previous conduct, and whatever may be the course in which they have antecedently embarked. So long as England and France act together for the preservation of the peace of the world, so long will the efforts they make be honest, sincere, and adapted to honourable purposes. It is impossible that two nations like England and France should unite for any purpose which might not be avowed in the face of all mankind. The purpose for which we now act together is of that description; and I trust in Heaven that it may be successful. I trust that the moral influence of these two great nations, co-operating for the purpose of conducing to the happiness and tranquillity of mankind, may meet with success. At all events, our efforts will be steadily and zealously directed to that end; and whether we succeed or fail, I am persuaded that the deliberate judgment of Parliament and the unanimous opinion of the country will be, that we acted right in making the effort.

Mr. BAILLIE said, if the discussion that had taken place was productive of no other result than that of calling attention to the foreign affairs of this country, it was not made in vain. The noble Lord the Foreign Secretary was, it appeared, not satisfied with utterly failing in all his endeavours to make satisfactory arrangements in Spain and Portugal, and rendering the name of England odious from one end of the Peninsula to the other, but he was about to try his hand in the affairs of Italy, and embark England in the chaotic sea of trouble that existed in that country. The hon. Member exemplified his statement by a description of the condition, and particularly the party quarrels, in Portugal and Spain. The hon. Member also referred to the conduct of Sir H. Bulwer, which he severely condemned. The hon. Member concluded by saying that he supposed, with much regret, that the equivocal way in which the noble Lord had answered the hon. Gentleman respecting

British interference in the quarrels of Naples and Sicily would not tend to render this country popular in Italy. We should be there encountered by the charge of interfering in the concerns of Italy, not for the purpose of exercising over them such a moral influence as England ought to exercise over the world, but rather for the purpose of gratifying our ambition, and getting possession of Italy.

House resumed. The Committee to sit again.

THE SLAVE TRADE IN MUSSULMAN COUNTRIES.

On the Motion that the Speaker do leave the chair, to go into Committee of Supply,

MR. URQUHART moved—

> "That, from the Correspondence laid upon the table of this House in reference to the suppression of the Slave Trade in Mussulman Countries, it appears that Her Majesty's Servants have adopted proceedings calculated to aggravate the horrors of the Traffic, and to alienate from this Country the good-will of the Governments and Nations so interfered with."

In introducing this Motion, he would state to the House that there was a very essential difference between slavery in the East and slavery in the West; and, taking the contrast presented by the two systems of slavery into consideration, it would be seen that a very gross abuse had been introduced into that House, and had been sanctioned by it. He knew the feelings and habits of Eastern countries, and he could appreciate the offensive character of our intervention. The case which he had to submit was, that a Government of this country had attempted to interfere with the slave trade in a manner which was opposed to the laws and customs of other lands. The Government had gone the length of threatening with confiscation the property of those countries who pursued that trade, and it had even stated that the abolition of the slave trade was the interest of Islamism. There had been a communication sent from the Anti-Slave Trade Society to the representative of Great Britain in Turkey on this subject; and upon that communication, the Ambassador sent a letter stating that since that House was about to sanction this interference, he might mention some circumstances with reference to the opinions of the principal persons in Turkey on the subject. The consideration with which slaves were treated in Turkey was so great, and the number of slaves so large, that universal confusion would necessarily follow any attempt to change the general system; and Lord Ponsonby further added, that he feared that the attempt to abolish slavery might give offence, if urged forward with importunity. He (Mr. Urquhart) thought that if ever philanthropy, in its wildest crusade, could have met with a rebuff which would destroy its illusions, it would be in the reply of Lord Ponsonby. The philanthropy of this country was not to be arrested by reason, nor its folly by argument; and, consequently, these attempts were persevered in. They were at first confined to representations of the evils of the slave trade, and a request that some of its abuses might be modified. So far as these negotiations went, he should abstain from entering upon them, or their success; but he would state that the Turkish Government made no concession; and, in reply to the noble Lord, it stated that it could not give way, as it considered the slave trade perfectly legal. The expression of Lord Cowley, in his letter of December 17, 1847, distinctly conveyed that in the opinion of the Turkish Government this trade was quite legal; and further informed the Government that no obstruction whatever was placed by the Turkish Government in the way of that trade. With regard to Persia, it would be found, from despatches sent to Lord Palmerston, that the Shah of Persia awaited the result of the application made to the Porte before taking any decided step in the matter. In the first despatch it would be seen that the English Government rested its application upon the condition that the Turkish Government should accede to their request in the first instance; and in the next despatch, the representative of England in Turkey informed the noble Lord that he founded his hopes of obtaining some concession from the Shah upon the consent of the Turkish Government to the request made by the British Government. In an enclosure in the same despatch there was a document from the Minister of the country to our representative, discussing the question upon its merits, and stating that the slave trade was not so much a matter affecting our law as our religion. The reply of our representative expressed a distinct threat, by stating that, if the Persian ships proceeded to the coast of Africa to engage in this trade, they would suffer loss; clearly referring to the risk of confiscation by the English Government. The course which had been pursued prostituted our diplomacy to the purposes of an unreasonable fanaticism, and to an endeavour to force upon others opinions which we entertained contrary to their customs and belief. He then came to a further portion of the correspondence. In an enclosure of a despatch of 1847, they would find what was called a pledge, on the part of the Persian Government, to follow the decision of Turkey. On reference to the document, however, it would be found that the agent of the British Government merely felt himself warranted in stating that the example of the Porte would be followed by the Shah. The question, however, took a very different shape. The remonstrance addressed by the British Government against slavery was presented to a slave —for the Foreign Minister of Turkey was himself a slave—and with what ear could he listen to such a remonstrance? Why, in the East the punishment reserved for slaves was that of manumission. That was of course incomprehensible to us, with our ideas of Christianity and civilisation; but in the countries of the East slavery was a condition limited and defined by law, in which the duties of religion were prescribed and observed, and the persons subjected to the redemption from the power and protection of their masters were considered to suffer the greatest misfortune and reproach. In Turkey and Persia no one sold a slave without a character of reproach attaching to him; but this did not interfere with the legality of the condition of slavery. The noble Viscount's instructions on this head had led to a tedious, useless, and undignified correspondence between the British Ambassador in Persia and the Persian Government, full of inconsistencies and contradictions, in which the most extraordinary assertions were made. The British Minister declared to the Government of the Shah that Turkey had come to an agreement to abolish the slave trade—a statement which was quite without foundation. It was an indubitable fact that the intervention of England on the coasts of Arabia and Persia to put down the slave trade would be impossible, unless we chose to carry there another African squadron. The policy of the Government in that part of the world had only been to rouse the hostility of the people of those countries, who were strongly attached to the institution of slavery. And for these and other causes he had named, he now asked the House to affirm the proposition which he begged to submit to the House.

Viscount PALMERSTON: The hon. Member has stated that he and I differ very widely on questions of foreign policy. You are very well aware we do, and never were we more completely at issue than, as is evident from his speech of this evening, we are upon the present question. It is quite clear, from the speech of the hon. Member, that whether because of a peculiarity in his natural disposition, or owing to habitual associations with a long residence in Eastern countries, that the hon. Member is quite enamoured with the institution of domestic slavery. Now, here there is an inexorable difference between him and me. I own I have a great, an unmitigable detestation of all slavery whatsoever, whetner that of the domestic slave or the field labourer; and while I admit that the constitution of that bondage to which the domestic slave is subjected differs from that which the field slave has to endure, I nevertheless maintain that the crimes and the horrors which are perpetrated in bringing both the one and the other into the market, are in each case exactly the same. Therefore, although the considerations of humanity which urge us to prevent domestic slavery may not be quite as numerous as those which impel us to discourage the other description of bondage, there is in point of fact as strong a motive of benevolence in the one case as in the other. The hon. Member disapproves of the course of policy we have adopted with reference to the suppression of the slave trade in the Eastern countries. I am surprised that, in speaking of lands in which he passed, as he has often given us to understand, so many pleasant hours, nay, days and years, he did not think fit to include them in the category of cultivated nations. Yet, so it is. After his long and close intimacy with them, the hon. Member regards them and speaks of them as mere and absolute barbarians. With reference to the spirit of the addresses which have been adopted by Parliament with respect to the slave trade, I regret that I cannot agree with the hon. Member. Neither can I agree with him in his interpretation of the general wish of the English people on the subject of slavery. It is my impression that that wish is adverse to slavery. I think it is almost universally so; but, nevertheless, there may be, and, indeed, I now find that there is, an exception. To endeavour to persuade all nations, as well Mahometan as Christian, to put an end to slavery, has long been a cherished object with the British Government. The first country to which we addressed ourselves in the furtherance of that object was Tunis, and we were successful. The Bey of Tunis agreed with the English Government not only to abolish the slave trade, but to put an end to the "institution" of slavery altogether. There we gained a triumph, which the hon. Member has proved to demonstration to have been wholly impossible in a Mahometan country, for the Bey of Tunis has by law acknowledged the extinction of slavery. We next addressed ourselves to the Sultan. At first we apprehended that it was not at all likely that we should succeed in our efforts to induce him to restrain and prevent the traffic in slaves amongst his subjects; but we were agreeably deceived, for after long and painful endeavours, we did at length succeed in inducing him to issue a firman prohibiting the slave trade in the eastern seas. The next Mussulman potentate to whom we applied was the Imaum of Muscat, under whose authority the slave trade was conducted at sea in a manner peculiarly barbarous and revolting, which led to a lavish sacrifice of human life. With that prince also we have been to some extent successful, for he, too, has issued firmans preventing his subjects, with certain limits, from trafficking in the slave trade. We then addressed ourselves to the Arab chiefs in the Persian Gulf and the neighbouring coasts, and with them we made treaties, by which they engaged themselves not to carry on the slave trade. We then went to Persia. The hon. Member read long extracts from the correspondence which passed on this subject between the Governments of England and of Persia. I cannot say that I at all regret his having made such copious extracts from the despatches of Colonel Sheil; for that officer has uniformly discharged his duties in the most exemplary manner; and I am sure that the more his despatches become known, the greater the credit they will reflect upon him. Colonel Sheil laboured long, and with great assiduity, to persuade the Persian Government to follow the example of the Sultan of Turkey, the Imaum of Muscat, and the Arab chiefs, by taking effective measures to prevent the subjects of the Shah from carrying on the slave trade. The hon. Member roundly asserts that there was no promise to that effect on the part of the Persian Government; but I take leave to say that there was such a promise, and Colonel Sheil has not ceased to claim the faithful performance of it. The hon. Member has carried the history of the transactions between us and the Persians to that point at which he says that there is no alternative but that the Persian Government will accept the quarrel which he says we have prepared for them, and throw themselves into the arms of Russia, rather than comply with our request. The hon. Member has built up the *turris excelsæ tabulæ*, and he would have it that *debent esse altiores*. He argues at very great length, and with very great labour, that it is impossible that Persia can make any arrangement with England for the suppression of the slave trade. Nevertheless, she has done so. Had the hon. Member taken the pains to consult the documents which were laid before the Slave Trade Committee, he would have seen there a communication, by which it is intimated that since the close of the correspondence from which he has quoted, the Shah has issued a firman to prevent his subjects from carrying on the slave trade. I will content myself with these statements, which I think satisfactorily prove that we have taken measures to provide against the calamity with which the hon. Member has threatened us. With regard to what the hon. Member has said as to the operations against Herat and the Affghan expedition, I think it only necessary to remind the House that we have the admission of the hon. Member himself that our policy in that case was quite defensible, inasmuch as that the Persian expedition against Herat was in point of fact an attack upon our Indian possessions. I am happy to have the acknowledgment of the hon. Member that we were right in our views of the danger which then impended, and that consequently we were justified in the course which we adopted upon that occasion. With these observations I will leave the Motion in the hands of the House.

Lord G. BENTINCK observed, that during the last fourteen years the English Government had been instrumental in greatly aggravating the sufferings of from 80,000 to 100,000 human beings. These poor creatures had, by our laws, been made to endure great torture by reason of the overcrowding of ships, and want of water. He feared, moreover, that he should be justified in asserting that there were no two persons in the empire who had done more to increase the slave trade than the noble Lord at the head of the Ministry and the noble Lord the Secretary for Foreign Affairs, by advocating the admission of slave-grown sugar.

Amendment negatived.

SUPPLY—MISCELLANEOUS ESTIMATES —FOREIGN AFFAIRS.

House in Committee.

On the question that 57,500*l.* be granted for the salaries of the Foreign Office being read,

Mr. BANKES thought the House had a right to ask what were the instructions given to the naval officer in command of our fleet off the coast of Italy, and whether he had instructions to prevent the landing of the Neapolitan troops upon the shores of Sicily? With regard to Spain and Portugal, our interference had not been at all successful. Would the noble Lord tell the House what reparation the British Government were likely to receive hereafter for the insult which had been put upon us by the Spanish Government? He imputed no blame to Sir H. Bulwer, who had probably only done what had been done before, in receiving parties who were compromised into his house. We were also parties to treaties with Spain—the Quadruple Alliance, for example—by which, in the event of a prince who was now in this country asserting his rights to the crown of Spain, we were bound to give aid to the existing Government of Queen Isabella. It was desirable to know whether the obligations which Great Britain had entered into by this treaty had been affected by the conduct of the Spanish Government in the expulsion of our Ambassador. He wished the noble Lord would inform the House what were the present state of our relations with Spain.

Mr. MACGREGOR thought the present a fitting occasion for adverting to the arrest and expulsion from Spain of Colonel Bristow, a British subject, who had been expelled from that country on the ground of his having an order of a Spanish Minister for the claims he had on the Spanish Crown. Colonel Bristow had never meddled with the political affairs of that country, yet he was arrested, and not allowed to go to his house to get his clothes or to secure his papers. He was afterwards conducted by the police to the frontiers of France, and there dismissed without money and without clothes, and without any charge being made against him of any kind whatever. He trusted that the case of Colonel Bristow would not be allowed to slumber.

Sir DE LACY EVANS said, those who had followed the course of events between this country and Spain, must be perfectly convinced that the final and complete rupture which had taken place between the two Courts was in a large degree to be attributed to the tone and manner of the debates in the other House of Parliament pending the discussion between the two Governments. He regretted that that course was so often taken both in that and the other House of Parliament; and he believed it to have been of more frequent occurrence during this Session than in any other. In his opinion, Parliament ought, in foreign affairs, to postpone its judgment of the conduct of Government until the matter in question appeared to be concluded. It would then be the time for censure or approval of their conduct. The Government of Lord Liverpool had continually interfered in the internal affairs of foreign countries, and so had the Government of the Duke of Wellington, the most pacific of all Ministers. It had been said that the noble Lord's efforts to establish constitutional governments in other countries had all failed, and that despotisms were now re-established at Madrid, at Lisbon, and in Greece. He deprecated the introduction of such discussions in that House.

Mr. HUME said, the hon. and gallant Member deprecated discussion, but he did not deprecate intervention. For fifty years the great evil of our foreign policy had been our constant intervention in the affairs of other countries; and if there were one desire on the part of the people of this country stronger than another, it was that we should interfere no longer.

After a few words in explanation from Sir De Lacy Evans,

Mr. P. HOWARD said, that, as regarded English intervention in Portugal, the effect of it had been to put an end to a fierce and bloody civil war. He begged to draw attention to an occurrence which had been reported in the newspapers, namely, that a part of the Pontifical States had been occupied by Austrian troops. Considering the manner in which his Holiness had discouraged the attack upon Austria, and considering the weakness of his military resources, he trusted the circumstance of the occupancy of part of his territories by the Austrian troops would not be lost sight of in the friendly negotiations about to be entered into by the Governments of France and England.

Mr. OSBORNE contended that the intervention of England in the affairs of Portugal had certainly not given free institutions to that country, but had entailed an expense upon England the items of which figured conspicuously in the estimates. As to the Spanish affair, he did not think the House was in a position now to discuss it. It had been his intention to vote that the proposed grant of 2,000*l.* to Lord Minto be disallowed; but after hearing the speech of the noble Lord (Viscount Palmerston) that day, his views had been completely altered; and if the peace of Europe had been maintained so cheaply, he should offer no opposition.

Viscount PALMERSTON said, the policy of the Government of England, not only in the present case, but in all former periods of our history, was to consider the interests of England as deeply concerned in the transactions which took place in other countries; that it was the duty of the Government of England to have regard to those interests; to take such measures as might appear, under the circumstances of the moment, to be necessary; and to preserve those interests by negotiation, if negotiation were sufficient, or by other methods should negotiation be unavailing. The hon. and learned Member (Mr. Bankes) wished to know what was the present state of our relations with Spain. The present state of our relations with Spain was this: diplomatic intercourse between the two countries was suspended. The hon. and learned Member wished likewise to know by what means a British merchant in Spain, if he suffered wrong from the Government of that country, could obtain redress. We had a consular officer in Spain, and it was his duty and peculiar function to make representations to the Spanish Government on such matters; and, if the representations of our consular officer on behalf of a British merchant were not attended to, it was well known that every Government possessed means by which attention could be enforced. He (Lord Palmerston) did not consider that the treaties between the two countries were abrogated by the suspension of diplomatic intercourse. When the Government of Spain should appeal to the Government of England for the execution of a treaty which the Spanish Government should think applicable to a particular case, it would be for the British Government to consider whether it governed the case or not, and would give the Spanish Government such an answer as they thought right. The hon. and learned Member would recollect that the mere signature of the Quadruple Treaty at the time extinguished a civil war in Portugal, in which families were arrayed one against another; that when the signature of the Quadruple Treaty was known in Portugal, Don Miguel agreed to evacuate the country. Then the hon. and learned Member asked what benefit Portugal had derived from the transactions of last year? Why, a civil war, which would have been most desolating in its effects, was put an end to. He would not say that everything had been done in Portugal precisely as Her Majesty's Government would have wished; but Portugal was at this time at peace, when almost every country in Europe was convulsed; and although some things might have been better than they were, yet Portugal was in possession of constitutional institutions; and he knew that if a country had a constitution founded at least upon popular principles, it was sure, sooner or later, to arrive at a proper condition, and to obtain a constitutional and representative system of government; and this was an advantage for which any country that obtained it ought to be grateful to the State by whose influence it was gained.

Lord GEORGE BENTINCK felt that no apology was necessary on his part for rising to make some observations as to the vote of 57,500*l.* for the Foreign Office. It was the special duty of the House of Commons to keep a strict watch on the conduct of foreign affairs, as they might entail consequences which would be attended with the largest expenditure. He could recollect the time when the hon. Member for Westminster adopted a different tone from what he did at present; and when he denounced the despots of the north as much as the anti-constitutional parties in Spain and Portugal, and when he took the lead in a sort of buccaneering expedition into Spain in favour of the constitutional party. He would not go back to the affair at Terceira, or the untoward affair at Navarino; but he could not help remarking on the singular difference in the conduct of Gentlemen when their friends were in office, and when they were out. The poet Moore some fifteen years ago said—

> "As bees on flowers alighting cease to hum,
> So Whigs in place installed grow dumb."

He should like to know whether the mediation of England had been requested before or since the noble Lord had informed the Austrian Government, by his information to the Parliament of this country, that he had decided to join with France in the mediation? But, in any case, he maintained that the noble Lord was not in a position, if he had refused his mediation and friendly offices to Austria in the day of her humiliation, to come forward now and claim his privilege to interfere, when Austria, unaided, except by her own intrinsic power, had driven her rash and, he would say, saucy invader back into his own territory. Austria might fairly say, "I have struggled without your assistance, and I have conquered. I will not now admit you into any arbitration." It was a generally received rule regarding arbitration, that when it was not accepted in the fullest sense in which it was offered, it was not binding. Again, he would observe, that England was bound by treaty to maintain to the Emperor of Austria all his dominions in Lombardy. And so also was France bound to maintain the Austrian dominions in all their integrity, as settled by the Treaty of 1815. Of what use, then, was mediation now? By the law of nations, the King of Sardinia having thought fit to invade the dominions of Austria, the Emperor of Austria had a right not only to drive him back, but to follow him into his own dominions, and chastise him. He (Lord G. Bentinck) wanted to know were his suppositions regarding the sought-for interference right or wrong? Whether the original call for mediation had or had not come from Austria direct, and whether the latter, which was now under consideration, had not come only from Frankfort, and not from the Emperor of Austria, who was at Innspruck at the time the call for the interference of England had come? As to the observation of the hon. Member for Middlesex (Mr. Osborne), that "he had intended to have opposed the vote of 2,000*l.* to Lord Minto, but that he had been so satisfied by the speech of the noble Lord the Secretary for Foreign Affairs, that he would not now offer any opposition to it," he (Lord G. Bentinck) could only say that he had listened most attentively to the whole debate, and he could not find in the course of it what Lord Minto had done to preserve peace, although he might have done much to promote the rebellion of the subjects of the King of the Two Sicilies. The noble Lord (Lord Palmerston) had refused to answer the questions put to him as to the instructions to the Queen's Navy now acting in the Mediterranean; but the hon. Member for Buckinghamshire had never asked what were the instructions given them for the future. What he heard the hon. Member for Buckinghamshire ask was, what were the acts done by the British Government between the King of the Two Sicilies and his rebellious subjects in Sicily? It was too commonly reported not to be true, that when all the countries of Europe were thrown into confusion by the sudden and unexpected risings of the people, and when the Sicilians, taking the King of Naples unawares, succeeded in overpowering his forces, and driving them out of the island, that the Navy of the Queen of England interposed; and when the King of Naples, recovering from his astonishment, had prepared an army of 30,000 men, with which he could have soon overpowered the insurgents, that Admiral Parker appeared in the Bay of Naples, and that a message was sent by a most befitting messenger, the *Bull Dog* steamer, to the effect that if the forces of the King proceeded to bombard the city—which it was the intention of the King, in the exercise of his rightful and legitimate authority to do, in order to reduce his rebellious subjects to obedience—they would be opposed by the forces of the Queen of England; and that was the point on which the hon. Member for Buckinghamshire wanted some unequivocal information from Her Majesty's Government; and before a vote was come to upon the estimate before the Committee, he (Lord G. Bentinck) hoped they would have a distinct and positive answer from the noble Lord at the head of the Foreign Office. He (Lord G. Bentinck) would not go into the question relating to Spain and Portugal; but he could not help wondering how Her Majesty's Government could take credit to themselves for "reform, retrenchment, and non-intervention," after what had taken place lately in Portugal. The noble Lord had made some comments upon certain observations of his hon. Friend the Member for Buckinghamshire, on the subject of our relations with France. His hon. Friend (Mr. Disraeli), in the very outset of his speech, far from condemning any alliance with France, appealed to the times of our most powerful governors—to the times of Elizabeth, of Cromwell, and of Walpole—as days in which England had sought and cherished an alliance with

France. What the hon. Member for Buckinghamshire had said was, not that they should repudiate an alliance with France, but that it was not fitting they should pander to the restlessness of any revolutionary republic by sacrificing the friends and allies of this country, and by forgetting treaties. France, and every other country in Europe and America, should be free to choose her own institutions, and her people should be left to use their efforts to secure to themselves liberty and independence. But it would ill become this country to crouch and cringe to any people. It was no insult to tell France that she would be impotent for oppression abroad, although she would be able to stand against the whole world in arms if they attempted an invasion of her territory. What his hon. Friend contended against were alliances for purposes of mock mediation merely to conciliate the Republic of France. His hon. Friend stated that the exchequer of France was in no condition to make foreign war, and that she could not afford to send 100,000 men to Italy, and another 100,000 to the Rhine. But he (Lord G. Bentinck) trusted that he would never see the day when England should prove that saying of the Duke of Sotomayer to be true, which was now considered to be a libel, that "the Government of England was haughty to the humble, and humble to the haughty." He hoped they would never be afraid or ashamed to support their ancient allies, although they should be called upon to do so in the day of their need or their difficulties; and he, for one, hoped that the day would never come when they would be found entering upon a war with France, because France would not submit to any invasion of her rights. He hoped that, whilst on the one side they would not crouch or cringe, on the other they would not in any way discourage the established Governments with which they were on friendly terms, from any fear that France, in her restlessness, might disturb the balance of power in Europe. The way to be friends with France was to tell her plainly that we knew she would be powerless against the world in an unjust cause—in a war of oppression; but that so long as she was contented with maintaining her own institutions, and her own independence, she would be indomitable. And so long as she was content to maintain her own position with good faith towards other nations, he (Lord George Bentinck) trusted that England would be ready to stand by France, and see that no aggression was made upon her rights and independence. Before the question upon the vote is put, let me have a distinct answer to two questions. First of all, am I to understand that Baron Weisenberg, Minister of Foreign Affairs at Frankfort, was authorised by the Emperor of Austria, who is an ally of Queen Victoria, and who was residing at Innspruck, to treat on this subject with the noble Lord? I wish to know if he had full power from the Emperor, his master? The other question I have to put is this: I wish to know whether the ground upon which the mediation sought by Austria of England was not agreed to was, that England made it a *sine quâ non* that Austria should resign a large portion of those territories which by the Treaty of Paris she was entitled to maintain?

VISCOUNT PALMERSTON: With regard to the first question, I can only state that the communication made from Baron Weisenberg, through Baron Kohler, was made in his capacity of Minister of Foreign Affairs for Austria. He was at Frankfort, but he is Minister of Foreign Affairs for Austria. With regard to the other question, I am sure my noble Friend must see that it would be improper for me to enter into the particulars of that communication.

Vote agreed to.

Several other votes agreed to.

House resumed. Committee to sit again.

House adjourned at half-past One o'clock.

HOUSE OF LORDS,

Thursday, August 17, 1848.

MINUTES.] PUBLIC BILLS.—1^{a} Tithe Rent Charge, &c., (No. 2) (Ireland); Stock in Trade Exemption; Sheep and Cattle Importation Prohibition; Out Pensioners; Militia Pay.

2^{a} Poor Law Union Charges (No. 2); Poor Law Union District Schools; Fisheries (Ireland); Registers of Sasines (Scotland); Court of Justiciary (Scotland); Insolvent Debtors' Court; Money Order Department (Post Office).

3^{a} and passed:—Constabulary Force (Ireland); Proclamations on Fines (Court of Common Pleas); Churches; Turnpike Roads (Ireland).

PETITIONS PRESENTED. From the Clergy and Protestant Inhabitants in Ireland, against the Present System of National Education.—From Lochlee, Braes of Cromer, and numerous other Places, for Facilitating the Attainment of Sites for Churches (Scotland).—From the Boston Poor Law Union, for Alteration of the Poor Law Union Charges (No. 2) Bill.—From a Number of Merchants, Farmers, and Others, of Hastings and Salehurst, complaining of the State of Turnpike Trusts throughout England and Wales.

FISHERIES (IRELAND) BILL.

The Marquess of CLANRICARDE, in moving the Second Reading of this Bill, said that this was a subject which had for a long time occupied the attention of the people of Ireland. He thought that this Bill treated the question in the only manner in which it could be successfully treated, and he hoped that it would be unanimously agreed to. The fisheries in Ireland were of considerable value, and furnished employment to several thousands of the lower classes. The increased value that would be given to them under an improved system of management would be immense. The fisheries in Ireland did not belong to individuals, but for the most part to the public. The proposition to carry on the fisheries by means of voluntary assessment had been tried, but had failed, and it, therefore, became necessary for the Government to take up the subject. The fisheries were to be placed under the guardianship of a board of conservators, to be elected by persons possessing the qualifications set forth in the measure.

Lord MONTEAGLE was sorry to be obliged to oppose the Motion of the noble Marquess. He believed that if this Bill had been proposed for any other part of the empire but Ireland, it would not for one instant be entertained. He concurred with his noble Friend that it was of the greatest importance to preserve this great national interest. He thought the measure proposed a most unjust one. Heretofore, when dealing with property, property was considered to be the first qualification. In the Bill proposed, the qualification was simply the possession of a single fishing-rod. Any person choosing to register a fishing-rod, and to take out a license for one pound, became qualified to vote at the election of conservators. Although a man possessed the right of fishery under a grant from the Crown, he might be subject to a tax of 15*l.*, under this Bill, for every weir he used. It was true that that sum was only mentioned as the maximum; but by this Bill they would be leaving to the representatives of fishing-rods the great power of declaring what the sum to be paid ought to be. He objected to the power proposed to be given to the conservators over the weirs and the rivers, the beds of which might be altered in anyway they might think fit to order. He would abandon his opposition to this Bill if it were shown that it was authorised by the Commissioners. He asked their Lordships to suspend their decision upon it until early next Session, fer the purpose of procuring the opinion of the Commissioners upon it. This delay could cause no inconvenience, inasmuch as the first meeting of conservators under the Bill was appointed for the 1st July 1849.

The Earl of GLENGALL believed, that there was not a single proprietor of a fishery, nor lessee, who did not give his cordial assent to this Bill. A deputation, composed of Members of Parliament, had waited some time ago on the Prime Minister upon this subject, entreating him to introduce this Bill into Parliament, however late the Session might be. He (the Earl of Glengall) thought the measure a most valuable one, and hoped his noble Friend would not persevere in his opposition to it.

Bill read 2^{a}.

House adjourned.

HOUSE OF COMMONS,

Thursday, August 17, 1848.

Minutes.] Public Bills.—2^{o} Fever (Ireland); Transfer of Landed Property (Ireland); Unlawful Oaths (Ireland); Diplomatic Relations with the Court of Rome.

Reported.—Commons Inclosure (No. 2); Metropolitan Commissions of Sewers; Nuisances and Contagious Diseases; Ecclesiastical Patronage Suits Compromise (Ireland).

3^{o} and passed:—Stock in Trade Exemption; Parochial Debt and Audit; Poor Removal (No. 2).

Petitions Presented. By Mr. Bright, from the Committee of the Newcastle and Gateshead Religious Freedom Society, for the Withdrawal of the Regium Donum Grant.—By Mr. Wyld, from Agents, Miners, and Others, connected with the East Wheal Crofty and North Pool Copper Mines, in the County of Cornwall, against the Copper and Lead Duties Bill.—By Mr. Hugh Edward Adair, from several Lodges of the Independent Order of Odd Fellows, for the Extension of the Benefit Societies Act.—By Mr. Cobden, from the Keighley District of the Independent Order of Odd Fellows, against the Provident Associations Fraud Prevention Bill.—By Mr. Hume, from Merchants, Shipowners, and Others, of Southwold, in favour of a Better Management of that Harbour.

STOCK IN TRADE EXEMPTION BILL.

On the Order of the Day for the Third Reading of the Stock in Trade Exemption Bill,

Sir R. H. INGLIS said, that he had to thank his right hon. Friend (Sir George Grey) for the arrangement by which he possessed the present opportunityof stating his objections to the measure now before the House. On its first introduction, indeed, he had claimed the right to oppose it; but, though his opposition was to the principle of the measure—particularly in its relation to other legislative proceedings—he had been willing to waive the expression of his objections at the earlier and more usual stages, because, having no hope of obtaining in the present Session the remedy which he sought, he was chiefly desirous of some opportunity—at any stage—of asking the attention of the House to the general question involved in this Bill. Now, in the first place, though this was called a temporary Bill—a Bill for suspending for only one more year the existing law of the land—yet he must remind the House that it was not less than the ninth such temporary Bill, which they had successively passed, to suspend in continuity, from time to time, the laws affecting the property of all the subjects of the realm of England who are rateable to the relief of the poor. It is called a Bill to continue for a further term the exemption of stock in trade from liability to such rating. On the direct question of such exemption, he would say nothing at this time. It was enough for him to say now, that, whether such exemption be right or wrong, the law on the subject is by the present course practically altered without discussion, and almost without notice, by this system of suspending the law for a year, year by year, continually. The House concedes without difficulty what is asked for so short a period; and particularly when it is asked—as was the case in the first Bills of the present series—in reference to some great measure which was to settle the whole question, but which was not then ready. He held, however, in his hand a list of these successive renewals—from the 3 and 4 Vict. c. 89, to the 10 and 11 Vict. c. 77; and the great final and remedial measure was, he feared, as little likely to be prepared by the Government now as by any of their predecessors. He knew that his right hon. Friend would rise and state, as well as any Minister could state, the difficulties which attended the settlement of this question; but no attempt had yet been made to settle it; the evil continued, and he complained accordingly, that the law of the land was substantially and permanently changed by these suspensatory and temporary Acts. Men's minds got accustomed to the exemption which is thus created, nominally, for a season only; and by and by it will be said, "whatever the law may have been before 1837, no one can affirm that stock in trade has ever been rateable by law since 1837; and a generation of proprietors has grown up, who know this at least, if no more than this, that such property has never, in their time, been subjected to such a burden." It is not necessary to consider for the present whether the exemption be or be not equitable; it is enough to say, that Parliament virtually enacts it—without notice, without discussion, and without any consideration whatever of other interests which are affected by such exemption; and all this—merely because the Bill is asked, year by year—for one year only. This principle and this result are not confined to the present measure, but are applicable to all such legislation. In Bills, however, which affect property, as the Bill now on the table does, notoriously and avowedly, the House ought always to recollect, that if a given sum be to be raised from a given parish, say the sum of 2,000*l.* from five occupants, each having an equal amount of occupancy, and if each occupant shall pay accordingly the sum of 400*l.*, the exemption of any one from his liability imposes a burden of 25 per cent, or 100*l.* in addition, upon each of the remaining four. So that the exemption of stock in trade from the poor's-rate of England is, as the House will see, not merely a favour rightly or wrongly granted to the trading interest, but it involves the imposition of a *pro tanto* tax on the agricultural interest. Is it contended by any one that the law of England recognises the exemption of stock in trade from liability to the poor's-rate? If it be so, bring in a declaratory Bill to that effect, rather than this Bill for suspending the law. But no lawyer in the House—certainly not the eminent person who discharges with so much ability the functions of his high office, the present Attorney General—will commit himself to such a course; or will stand up in his place, and deny the position that the law of England does not recognise the exemption of stock in trade from liability to the relief of the poor. That point at least was decided in the case of the Queen *v.* Lumsdaine: though the instant passing of the first of these temporary Acts deprived the tithe-owner of the means of profiting by the law laid down in that case. His noble Friend at the head of the Government would well remember the breathless haste with which the law—so declared by the Court—was sought to be set at naught; for a Bill—practically getting rid of that law—having, though it passed this House, been thrown out by the Lords—the ordinary forms of proceeding were, if he recollected rightly, suspended here; and the earliest of the series of these suspending Acts was hurried through in the very last days of the Session. Let no one suppose, because the clerical owners of tithe rent-charge are largely injured by the present system, that, therefore, he wished the clergy to be exempted from any liability to which their fellow-subjects were exposed. No such thing. In fact, the question to which he desired to call the attention of the House, was not one of profession but of property. He wished no more than a fair equality in a certain rate upon property. So far as he understood the case, the holder of a tithe rent-charge is assessed upon a much larger proportion of his gross receipts than the owner of any other property assessed for local purposes. Now, what are the facts? The clergy are above 20,000 in number; about half of that number hold benefices—he took the figures from the able and celebrated pamphlet of the Rev. R. Jones on this subject—and of those benefices nearly one-half, that is 4,861, are under 200*l.* per annum. Is that an income which ought to sustain any special burthen? Again, the income of the clergy is connected with their personal labour; the poor's-rate upon their income is, therefore, *pro tanto*, a rate or tax upon their wages, in respect to which the exemption—even where given—is insufficient. Does the law deal so with any other class of property? No. Again, is it then wished that the tithe-owner should pay less than his neighbour in parallel circumstances? No. Nothing more is wished than that the principle upon which the tithe-owner was rated before the passing of the Commutation Act, should be maintained. It was so enacted, not vaguely—not by words of loose construction—but by two clauses introduced, specifically, and after debate, for the express purpose of protecting the tithe-owner. The first is Clause 69 in the Tithe Commutation Act 1836, which received the Royal assent on the 13th August in that year:—

> "And be it enacted, That every rent-charge payable as aforesaid, instead of tithes, shall be subject to all Parliamentary, and county and other rates, charges and assessments, in like manner as the tithes, commuted for such rent-charge have heretofore been subject."

The second is Clause 1 of the Parochial Assessment Act, which received that assent six days later. Yet by the actual operation of the existing law, the tithe-owner is rated upon the whole of his income, while the tithe-payer is rated at one-half only, for example, or one-third, that is, his rent. There are instances which he had quoted on former occasions, in which the proportion or rate on the holder of the tithe rent-charge was doubled, and more than doubled, as compared with the rate before 1836: in one case, which was stated to him, nearly trebled; St. Mewan, in Cornwall, from 85*l.* 10*s.* to 230*l.* He perceived that his right hon. Friend the Secretary of State for the Home Department (Sir George Grey) intimated that this was a wrong which the passing of the temporary Suspension Act, like that now before the House, did not create, and which the rejection of the present Bill would not remedy. He admitted it in the letter; but he contended that the legislation of which this Bill was a part, was not merely practically but advisedly defective. He could not forget how measures had been introduced into this House by Members among the highest in talent, station, and character, the direct effect of which would have been to alter the law affecting property, for the benefit of their own class, and to the injury of another. The Bills—for the attempt was repeated in another Session—did not eventually pass; and, at all events, he did not mean to compare the case to which he referred, as equal in intensity to the famous law of agistment in the Irish Parliament about a hundred years ago. But, in this point, the two measures were alike; that both were the measures of a class. In the instance of which he was speaking, it was the landowners, not merely represented here, but constituting the immense majority of this House, against a body of men not one of whom can even enter this House, and who have not, as a body, one single representative here. It is clear that the continued exemption of stock in trade from a liability to the payment of a rate for the relief of the poor, does not directly affect the question as to the proportion at which tithe rent-charge ought to be rated to such relief; but, indirectly, the exemption of any one species of property necessarily affects the burthen on all the rest. He did not wish to enter into the question of rating all visible property; he did not refer, except incidentally, to the famous thousand guinea case; money, which, because it was in a drawer in a particular parish, was rated, while the owner of five thousand pounds deposited in a bank in the next parish was not rated. He contended merely that where any two persons were rated in respect to any property, they should be rated equally: and, further, that there was no reason in principle, and no authority in the law of England, why, for the relief of the poor of England, all its visible property should not be rated. He might go further; but he stopped here. And as to the alleged difficulty or impossibility of ascertaining the value of stock in trade, he could only say, that, when by Schedule D they had ascertained the profits of trade under the Property Tax Act, there could be little further difficulty in establishing a mode by which the visible property of trade in a particular parish might be assessed to the relief of the poor in such parish. With this, however, he did not at present mean to interfere, though it bore more directly on the Bill before them, than the inequality of which he rose to complain: but he did not propose to add any species of property to those which were already rated. He did, however, propose, that those which were rated should be rated equally; and should be rated upon the same relative proportions which, when the general security of the tithe of England was exchanged for the present rent-charge, were specifically established for the protection of the weaker party. He knew that he could not hope to effect this in the course of the present Session, or by any proceedings in reference to the present Bill; but he did trust that his right hon. Friend (Sir George Grey) would be able to state that he would take into full consideration the whole question of the rating of England for the relief of the poor; and would be prepared, in the next Session, to bring in a general measure to effect that great purpose.

Sir G. GREY agreed with his hon. Friend as to the inconvenience of these annual suspensions. He hoped his hon. Friend would not overlook the fact that the present Bill did not affect tithe; and was one of those measures which just at present could not be placed upon a permanent footing. Still he was perfectly willing to admit that, at an early period of the ensuing Session, the subject ought to occupy the attention of Parliament. But it was a matter upon which he could make no distinct promise.

DERBY WRIT.

Mr. NEWDEGATE was sorry to find the noble Lord (Lord J. Russell) disposed to delay the issue of the writ for Derby. The conduct of the Government upon this question had beenvery extraordinary. On the 17th of April they opposed the issue of the writ; on the 1st of June, with the single exception of the Solicitor General, the Members of the Government then present supported it, the Home Secretary and others who had before voted against it voting for it; on the 16th of June the Home Secretary and other Members of the Government voted against it; on the 23rd of June the Members of the Government then present, with the exception of the Solicitor General, voted for it. New writs had issued for other boroughs which stood on the schedule to the Corrupt Practices Bill, and where the Members were unseated for treating or for bribery, under much more aggravated circumstances. Derby ought not to be made an exception; the report merely suggested that a practice had prevailed there of appointing and paying freemen as messengers, which might come within the terms of the noble Lord's Act—an Act he had himself admitted to be so strict as to need explanation, if not modification. The Corrupt Practices Bill, if passed, would not suspend the writ; and that borough ought to have its representatives to defend it in the House. The hon. Member concluded by moving that a new writ be issued for the electing of two burgesses to serve in Parliament for Derby, in the room of Mr. Strutt and Mr. Gower.

Lord J. RUSSELL would not occupy time by defending the votes of the Members of the Government on this subject, but would content himself with saying, that having twice voted for issuing the writ, he could not be supposed to be prejudiced against that course. But the House having several times decided that the writ should not be issued, it was a question proper to be considered, what ought to be done in conformity with those decisions. Now, there was a Bill before the House for instituting an inquiry with respect to this borough; when that Bill had passed, it would be settled what mode of inquiry was to be adopted, and there would then, as he thought, be no sufficient objection to the issue of the writ. In the mean time, he would move that this debate be adjourned till Thursday next.

Mr. G. BANKES reminded the House that one borough was rescued from the schedule of the Corrupt Practices Bill by the interposition of a Member for that place; Derby ought to have the same opportunity. It was not certain that the Corrupt Practices Bill would pass this

House; and there was a moral certainty that it would not pass the other House this Session, unless, indeed, there was to be an adjournment instead of a prorogation. Some of these boroughs would demand to be heard at the bar of the other House before being condemned.

The SOLICITOR GENERAL understood the noble Lord (Lord J. Russell) to mean, that in case the Bill should not pass, the writ ought to issue, the only object in the postponement being to ascertain what course the House would take with respect to an inquiry. It was not proposed to wait till the Bill had the assent of the other House, which, however, would not be likely to refuse its sanction to such a Bill when sent up from this House.

Sir R. H. INGLIS said, that the opposition of his noble Friend (Lord J. Russell) would have surprised him less, if the grounds on which it rested had been different. He could well have understood, if the Bill to prevent corrupt practices at elections had not only passed this House, but had been sanctioned by the Upper House, and was proceeding regularly and successfully there, that his noble Friend might fairly have said, that a measure affecting, it might be, the future constituency of Derby, or, at all events, the exercise of the elective franchise there, was so far advanced in its stages, that it would become the law of the land in another week; and, therefore, till the expiration of that week, it was inexpedient to issue a writ for a borough so circumstanced. But the case was here entirely different; the Bill had not yet passed this House; and in its actual state was worth no more than the paper on which it was written; indeed, not so much, since, unless it should become law, it was spoilt for paper, and was good for nothing as a statute. If the resolutions of either House did not constitute law, so in like manner the Bills of either House were absolutely valueless, until adopted by the other House, and enacted by the Crown. Under these circumstances, and believing that the exercise of the elective franchise was a right, a privilege, and a duty, and that no subject who is entrusted with it, ought to be deprived of it for a single day, unless on grounds not of expediency, but of justice; and believing, further, that no such grounds exist in the present case, and that the proportion of the guilty in the late election was a mere fraction compared with the guiltless, he was prepared to vote for the issue of the writ.

Mr. ROUNDELL PALMER could not see any connexion between the question before the House and the Corrupt Practices Bill; that was not a Bill to do anything to Derby in particular, but to institute an inquiry into the case of eight or nine boroughs, new writs having been issued for all of them except Derby and Leicester, and issued for some of them under circumstances much worse, so far as they yet appeared, than in the case of Derby. The passing of the Bill would be as safe if this writ issued, as if it did not.

Mr. W. P. WOOD thought the question had a great deal of connexion with the Bill. It was not impossible that the same course might be taken in this instance as in that of Yarmouth. The passing of the Bill would have a moral effect on the conduct of the freemen at the next election.

Lord G. BENTINCK was surprised that the hon. and learned Member for Oxford did not perceive that the cases of Great Yarmouth and Derby were quite dissimilar. In the case of Great Yarmouth, a Bill was introduced for the disfranchisement of the freemen, and that Bill had passed into a law; but nothing of the kind had been proposed with respect to Derby. It was futile to talk of the passing of the Bill having a moral effect upon the freemen of Derby, because the inquiry which would take place would have reference only to the past. The Solicitor General contended that the House was justified in suspending writs when Committees recommended that course to be taken; but the Committee on the Derby case had not recommended the suspension of the writ, and, therefore, he was justified in claiming the hon. and learned Gentleman's vote in favour of the Motion.

The House divided on the question that the debate be adjourned:—Ayes 85; Noes 43: Majority 42.

List of the Ayes.

Abdy, T. N.
Armstrong, Sir A.
Arundel and Surrey, Earl of
Barnard, E. G.
Bellew, R. M.
Berkeley, hon. Capt.
Berkeley, hon. C. F.
Bernal, R.
Birch, Sir T. B.
Bowring, Dr.
Boyle, hon. Col.
Bright, J.
Brown, W.
Campbell, hon. W. F.
Cholmeley, Sir M.
Cobden, R.
Duncan, G.
Dundas, Adm.
Ebrington, Visct.
Elliot, hon. J. E.
Ferguson, Sir R. A.
Forster, M.
Fortescue, hon. J. W.
Fox, W. J.
Gladstone, rt. hon. W. E.
Greene, J.
Grey, R. W.
Grosvenor, Lord R.
Grosvenor, Earl

Hawes, B.
Hay, Lord J.
Hayter, W. G.
Headlam, T. E.
Hill, Lord M.
Howard, P. H.
Jervis, Sir J.
Kershaw, J.
Lewis, G. C.
Lushington, C.
Maher, N. V.
Mangles, R. D.
Martin, J.
Martin, C. W.
Matheson, Col.
Maule, rt. hon. F.
Milner, W. M. E.
Moffatt, G.
Moore, G. H.
Morris, D.
Norreys, Lord
O'Brien, T.
Osborne, R.
Paget, Lord A.
Paget, Lord C.
Parker, J.
Pearson, C.
Power, Dr.
Raphael, A.
Rich, H.
Romilly, Sir J.
Russell, Lord J.
Rutherfurd, A.
Salwey, Col.
Scholefield, W.
Scrope, G. P.
Sheil, rt. hon. R. L.
Smith, J. A.
Somerville, rt. hon. Sir W.
Stuart, Lord D.
Talfourd, Serj.
Tenison, E. K.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Townshend, Capt.
Tufnell, H.
Turner, E.
Villiers, hon. C.
Wall, C. B.
Ward, H. G.
Watkins, Col.
Willcox, B. M.
Wilson, J.
Wilson, M.
Wrightson, W. B.

TELLERS.
Hume, J.
Wood, W. P.

List of the Noes.

Anstey, T. C.
Bankes, G.
Bentinck, Lord G.
Blackstone, W. S.
Brisco, M.
Burrell, Sir C. M.
Cabbell, B. B.
Christy, S.
Cocks, T. S.
Coles, H. B.
Dick, Q.
Dodd, G.
Fox, S. W. L.
Goring, C.
Goulburn, rt. hon. H.
Grogan, E.
Halford, Sir H.
Hamilton, G. A.
Harris, hon. Capt.
Heneage, G. H. W.
Henley, J. W.
Hildyard, T. B. T.
Hindley, C.
Hobhouse, T. B.
Hotham, Lord
Inglis, Sir R. H.
Jolliffe, Sir W. G. H.
Jones, Capt.
Law, hon. C. E.
Lygon, hon. Gen.
Mandeville, Visct.
Mullings, J. R.
Napier, J.
O'Connor, F.
Palmer, R.
Pinney, W.
Plowden, W. H. C.
Sibthorp, Col.
Tollemache, hon. F. J.
Urquhart, D.
Verner, Sir W.
Vivian, J. E.
Vyvyan, Sir R. R.
Vyse, R. H. R. H.

TELLERS.
Newdegate, C. N.
Spooner, R.

Debate adjourned.

CORRUPT PRACTICES AT ELECTIONS BILL.

On the Order of the Day for further considering the Report,

Sir H. HALFORD called the attention of the House to a circumstance affecting the purity of election. On the 31st of May last, the two sitting Members for the borough of Leicester, of whom Mr. Gardner was one, were unseated by an Election Committee for acts of bribery committed through their agents. About a month afterwards it was necessary to appoint a Post-office messenger to carry letters between Market Harborough, and the village of Kelworth. The inhabitants of the village unanimously recommended a person named Brent, in whom they had confidence, to the Postmaster General, requesting he would appoint him to the situation. An answer was received from the Postmaster General, stating that the appointment was in the hands of Mr. Gardner. Mr. Brent was superseded in favour of William Newby. The inhabitants of Kelworth addressed the Postmaster General on the subject, and received a reply, which he held in his hand; it was sealed with Lord Clanricarde's seal, had his name in the corner, was dated the 24th of July, and was couched in the following terms:—

> "Lord Clanricarde has directed me to acknowledge the receipt of your letter, dated the 13th inst., and to inform you that the situation to which you refer was placed at the disposal of Mr. Gardner, and filled up by the appointment of William Newby upon his recommendation.—I am your obedient servant,
>
> "G. E. Cornwell, Private Secretary."

He was informed that Newby was the brother of a freeman of Leicester who voted for Mr. Gardner. Newby was a respectable man; but so was Brent; and no reason was given for displacing the latter, except to make room for Mr. Gardner's nominee. He had been disposed to give the noble Lord credit for being actuated by a sincere desire to put a stop to corrupt practices at elections; but he could not extend the same charitable belief to the Post-office department; and he thought that the answer which the Chancellor of the Exchequer had formerly made on behalf of the Postmaster General was indirect and evasive. He called upon the noble Lord to declare that the Government patronage should not be again disposed of in a similar way.

Lord J. RUSSELL said, that, from the inquiries which his right hon. Friend the Chancellor of the Exchequer had made, he had reason to believe that the person appointed to the situation was respectable, and had nothing to do with the politics of the borough of Leicester. The hon. Baronet now stated that he was the brother of a freeman of Leicester; and he (Lord J. Russell) was of opinion, that if that fact was known to Lord Clanricarde, his Lordship ought not to have listened to Mr. Gardner's recommendation in his favour. He believed, too, that at the time Lord Clanricarde was ignorant that Mr.

Gardner had been unseated, because, in his letter, which was written a month after the report of the Committee, he spoke of that gentleman as the Member for the borough of Leicester. Lord Clanricarde had doubtless pursued the usual course in such cases; and, having received a recommendation from a gentleman whom he believed to be the Member for Leicester, he made inquiry into the fitness of the person recommended for the office, and, being satisfied on that head, appointed him. If the hon. Baronet meant to lay down this rule—that after a gentleman had been unseated on the ground of bribery through his agents, the Post Office, being aware of the circumstance, ought not to attend to his recommendations, he entirely concurred with him. If, on the other hand, the hon. Baronet meant to say that the Postmaster General was not to take the recommendation of any Member for a borough, but must attend only to the recommendations of his political enemies, he begged leave to dissent from that proposition. He was fully convinced that in what had taken place, Lord Clanricarde and the Post-office authorities had no wish to sanction the corrupt proceedings which had occurred at the last election for Leicester.

Report agreed to.

Amendment made.

Bill to be read a third time.

DIPLOMATIC RELATIONS WITH THE COURT OF ROME BILL.

Viscount PALMERSTON said: Sir, in rising to move the Second Reading of this Bill, it is not my intention to go into any historical details, or to trespass for any length of time on the attention of the House. In point of fact, the grounds upon which it appears to me that this change or declaration of the law is necessary, are so plain and so simple, and lie so entirely on the surface of the thing, that it cannot be requisite to have recourse to any abstract or refined arguments for the purpose of showing the expediency of the measure I am about to introduce to the House. Doubts, and doubts only, have existed, whether, upon the interpretation to be put upon words in ancient Acts of Parliament, it is or is not lawful for the Sovereign of this country to hold diplomatic intercourse with the Court of Rome. I believe that the chief doubt has arisen on the construction of the word "communion;" upon the plain interpretation of that section of the law which prohibits the Sovereign of these realms from holding communion with the Court of Rome. In my view, the only meaning of such law must have been to support that principle which, I admit, is the fundamental principle of our constitution—that the Sovereign must be of the Protestant religion; and the communion contemplated by that Act I hold to be a spiritual communion, and not that which is meant in common and vulgar parlance, namely, an intercourse and exchange of communications. But, be that as it may, doubts having arisen, it has been deemed expedient to propose to Parliament this measure to remove those doubts, by declaring diplomatic intercourse and relations between the Sovereign of this country and the Sovereign of the Roman States to be lawful. There can arise, as I conceive, only two questions on this measure. The first is, what objections can be urged against it?—the next is, what advantage would accrue from it? Now, the only objections that present themselves to my mind as capable of being urged against it would be objections founded upon the principle to which I have adverted—objections founded on the assumption that a Bill legalising the exercise of diplomatic intercourse between the Crown and the Sovereign of the Roman States, would tend to endanger the observance of the principle that the British Sovereign must be of the Protestant religion. I confess I am at a loss to imagine how any rational person can suppose that there can be anything in the presence of a British Minister at Rome, or in the presence of a Roman Minister in London, that would tend to shake the religious belief of the Sovereign of this country. It is, in my opinion, too absurd and ridiculous a supposition to require the slightest argument to refute it. Diplomatic relations are not considered to have any connexion with the religious faith of the Sovereign of this country. We have diplomatic relations with Mahometan Courts, with both Sennaar and Shoa; we have diplomatic relations with Courts of every form of belief except the Catholic modification of the Christian religion; but no one ever supposed there was any danger of the Sovereign of these realms becoming a Mussulman in consequence of the interchange of diplomatic relations with Mahometan Courts; and I cannot conceive any rational person founding an objection to this measure upon such a supposition. Well, then, the question, in my opinion, is whether there is any need of diplomatic relations with the Roman State, and whether any advantage could arise to this country from authorising their establishment? The *onus probandi* must lie, I think, on those who deny it, because there seems, *primâ facie*, no reason why the Roman State should form the exception to the general rule; and if this House is not of the opinion of the hon. Member for Stafford, that all diplomatic relations should cease with all foreign countries, there seems to be no reason why, if that is not the opinion of Parliament and the country, the Roman State should form the exception to the general rule. It is an exception that must naturally be offensive to that State, and unless it be founded on any real and substantial ground it must be injurious to our interests as far as we have any interests to which it applies. Now, the Roman State is not one of the large Powers of Europe. It does not rank among the first class of foreign States; but nevertheless it is a State of a certain extent, and, as compared with the other States of Italy, it is by no means to be deemed inconsiderable. It is a State with which we may in various circumstances have political interests to connect us. It is a State with which at all times we have commercial interests to connect us. Our commercial intercourse with the State of Rome is certainly not very great as compared with our commercial intercourse with many other countries; but nevertheless it is of growing and annually increasing importance. At present the Sovereign of this land can make no commercial engagement—no commercial treaty with the State of Rome, for the purpose of applying to our commerce with that State those securities which commercial treaties afford to our commerce with almost every other country in the world. We have a great interest in rapid communication with our East Indian possessions. That communication is daily becoming abridged by the introduction of railways in different parts of the continent of Europe. We cannot make use of a railway passing through the territory of another State without having with that State some arrangement by treaty with regard to the transit of our mails through that country. There is at present no railway communication for that purpose in Italy; but there is no reason, I think, to doubt that sooner or later there will be railway communication from every extremity of Italy up to connecting itself with the railway communications of the Rhine, Germany, and France. In that case the probability is that our Indian communications would pass through the Roman States; but in the present state of the law that could not be done. We could not conclude with the Government of Rome any convention for the means of regulating and legalising the transit of our Indian mails through the Roman States. For these reasons, then, shortly, that I am at a loss to see any ground upon which, in the present state of opinion in Europe, it is possible to contend there is any constitutional objection, or any danger likely to arise, from the measure I am proposing, and because, on the other hand, I hold that the impossibility of contracting political connexions with the Roman Government is attended with daily injury to the commercial and other interests of this country, I now move the second reading of this Bill.

Mr. C. ANSTEY rose to move as an Amendment, that the Bill be read a second time that day three months. He said the speech of the noble Lord who had just sat down had occasioned him considerable disappointment, for he had expected to find in it a full and temperate exposition of the objects and intentions of the measure, and some attempt to combat the grave and conscientious objections entertained, not by Protestants merely, but by Roman Catholics also, to the Bill now before the House; but upon these several points the noble Lord had either left the House entirely in the dark, or chosen but slightly to pass over them. He must look to the speeches which were delivered upon the subject when it came before the other branch of the Legislature, in order to get these omissions of the noble Lord supplied. The measure was not to be taken as one declaratory of an already existing law, but as one enacting an altogether new law: its very title proved it to contemplate not merely the removal of doubts—a "Bill for 'enabling' Her Majesty to establish and maintain diplomatic relations with the Court of Rome," must manifestly aim to effect a change in the law of much greater magnitude than the noble Lord was either willing, or found it convenient, to admit. What was the meaning of the term "Court of Rome" in the Bill? There were two Courts of Rome—an ecclesiastical and a political Court; and with which of these was it intended to enable Her Majesty to hold intercourse? This difficulty the noble Lord had altogether blinked. If Ministers had no higher or profounder motive in bringing forward the Bill than had that night been avowed, then he could tell them that their measure was totally unnecessary; for in the present state of the law no obstacle would be found in the way of any portion of the people of this country who desired to contract for the establishment of railroads in Italy, to obtain in Rome the necessary powers for that purpose, without the passing of any such Bill as that now before the House. But even admitting that Ministers might possibly be desirous of establishing, by the aid of this Bill, relations with Rome of a very limited and restricted character, and having little sensible effect, either for good or evil, upon the interests of this country; still he believed their real object to be that stated by Lord Lansdowne, namely; to place the British Government in such a position as would enable it to explain to the Pope the nature of its own transactions in Great Britain and Ireland, and in the rest of its dominions; and also to enable it, on the other hand, to lay open to itself and procure an insight into the particular species of influence which the Holy See possesses and exerts over its own dominions. Now, he trusted neither that House nor the country would allow the Court of St. James's and the Court of Rome to be placed in any such delicate or difficult position. If, as he conjectured, the object of the promoters of this Bill was to bring about such a state of things, certainly the introduction of an entirely new sort of legislation was indispensable before such a dangerous innovation could be accomplished. Now, the Bill proceeded to enact—

> "That notwithstanding any thing contained in any Act or Acts now in force, it shall be lawful for Her Majesty, her heirs and successors, to establish and maintain diplomatic relations with the Pope of Rome, and to hold diplomatic intercourse with the Sovereign of the Roman States."

He could not understand why on that occasion the usual courtesies of speech had been departed from—why the illustrious personage who was the chief bishop of the Roman Catholic world, had not received the title, as it had been the custom of all civilised States, whether Roman Catholic or Protestant, to accord to him—which the present as well as former Administrations had conceded to him, and which had lately received the sanction of the illustrious University of Oxford itself; for, on the occasion when the Chevalier Bunsen received his degree, the public orator complimented him in his (Mr. Anstey's) hearing, for the ability and zeal which had distinguished his mission on behalf of his master when he was sent *ad Summum Pontificem, ut discordias componeret.* It would be a happy result if the Roman Sovereign should, on account of that discourtesy alone, refuse to receive an ambassador. It should be observed that this clause referred to certain Acts of Parliament as being in force. What were they? There was not a single Act on the Statute-book which so much as touched the Royal prerogative in matters of war and peace; there was nothing to prevent Her Majesty from sending whomsoever she pleased to that or any other sovereign on a message of a temporal character. But there were Acts of Parliament in force which related to communications of another description; and if this Bill passed, those Acts would be repealed. With the single exception of Lord Castlemaine's agency, in 1687, diplomatic intercourse of an open character had ceased from a period long prior to that date. Diplomatic intercourse of a less formal character, had, however, been continued; and of such intercourse the letter of Lord Clarendon the other day, in which he placed the statutes of the new Irish colleges at the feet of his Holiness, afforded an illustration. Another instance was to be found in the negotiation opened by George III., not only with the Pope, but also with the Pretender, which ended in a large sum being settled on Henry IX.—that is, the Duke of York—the late Cardinal York. Continuous intercourse with the Court of Rome had, however, ceased before the Revolution of 1688; and that event was caused by the attempt of James to re-open such intercourse for ecclesiastical purposes. With respect to diplomatic intercourse, the law at the present moment stood thus:—Under the 5th of Elizabeth, bulls, or writings, or teachings, or preachings, in defence of the power or authority of the Bishop of Rome within this realm, or its dominions, were forbidden. By the 13th of Elizabeth, the enforcing within this realm, or any of its dominions, the orders and decrees of the Sovereign Pontiff was also prohibited. The 24th of Henry VIII. forbade suits to the Court of Rome. With respect to any determination of any of the courts of this realm, the 25th Henry VIII., c. 19, forbade appeals to the See of Rome in cases in contention, which had been commenced in any of the courts of this realm; and, lastly, the 25th Henry VIII., c. 21, prohibited suings for writings or licenses to the See of Rome with respect to anything which concerned the actual dominions of the sovereign. These were the Acts referred to in the enacting clause of this Bill; and if the Bill passed, the conclusion which would be drawn by the Judges was, that Parliament had intended to continue the law now in force with respect to all the subjects of the Crown, but to unfetter the Royal prerogative for the benefit of the Minister. It appeared to be the wish of the Government to get into their own hands the papal, as they had gotten already the monarchical prerogative, and to use that peculiar influence as they pleased in Ireland. How would this new law operate? The Sovereign Pontiff possessed absolute power over all Roman Catholic priests in England and Scotland. As regarded the Irish priests, he had parted with a large portion of his prerogative; his power was in Ireland restrained by the canon law. The Government might, however, consider it desirable, at the next general election, or on some other occasion, to use the peculiar influence of the Pope. In carrying out their object they might find assistance or resistance; and if a priest resisted, they would, under this Bill, have secret access to the person and councils of his Holiness, by means of which the canon law might be modified, and whatever impeded their action might be removed. Such, he believed, would be the working of the Bill. The Bill would thus serve as a base handle for Her Majesty's Ministers in dealing with the Roman Catholic Church in Ireland. Let the House also observe the difficulty in which this Bill would place the Pope himself. At present the Pope was free before the British law; he was not restrained by a concordat from carrying out his own will in the administration of the affairs of his Church. By this Bill, however, all that was onerous in every concordat would be imposed upon the Pope, from the moment that he elected to receive a representative of the British Crown in the manner laid down by the Act. Thus, it was in the strictest sense a religious question which was to be decided; and, though he could understand the hesitation which had kept Ministers trembling for three months before they proceeded with the Bill, he could not understand their boldness in asking Parliament to adopt it. Another difficulty was this. From the moment that diplomatic relations were established between Rome and England, the Government would have to discharge the duty of making complaint through their representative at Rome of every infraction, or apparent infraction, of English law, in which the Pope had a part. Now it was well known that there were still existing laws which imposed the brand of illegality and outlawry on a large and perhaps the most respectable and pious branch of the body of which the Pope was the head—he meant the religious orders. The whole of these religious orders still remained outlaws; and if the Pope continued in communication with them, as he would do, there would be at once a case for a protest. Supposing the Pope refused to receive the protest, were the Government in that case to recall their ambassador? If they acted on that principle, they might recall their representative on almost every day in the year. Again, it was a branch of the prerogative appertaining to the Throne of this kingdom, that the Sovereign should receive whom she would as the representative of a foreign Court. Now, by this Bill that prerogative was interfered with, and Her Majesty was prevented from doing that which the law now enabled her to do. But, assuming that it was right so to restrict the prerogatives of the Throne, how was it possible for the Queen to ascertain the fact, that the ambassador of the Court of Rome to this country was not a person in holy orders, a Jesuit, or a member of some one of the religious orders of the Court of Rome? Was it to be by rumour? He asked the question from a personal interest, because there was a rumour that he laboured under the imputation — or rather had merited the meritorious distinction—of being a Jesuit. In case any such deception were practised, however, was Her Majesty to forfeit the Crown, or were her Ministers to be held responsible? The imputation contained in the clause introduced in the Bill by a distinguished nobleman in another place, although he (Mr. Anstey) could say that his noble Friend was very far indeed from so intending it), was a stigma upon the Church of Rome, of which the Pope was the head. He should like to know whether that was one of the objects of Her Majesty's Ministers? Was it a mode likely to conciliate the Roman Pontiff, and to induce him to receive an ambassador from this country? In the time of James II., Lord Castlemaine was impeached before the House of Commons for seeking to reconcile this country and its dominions with the See of Rome; and no lawyer ventured to assert, in the course of that impeachment, that he was impeachable for merely going to Rome charged with a message of amity from the King of Great Britain. It was still an offence at law to endeavour to promote a reconciliation between the Church, at the head of which was the Sovereign of this country, and the See of Rome; but there was no law to prevent private persons from going to Rome, or the Crown from holding temporal relations with that Court. The Crown was not bound by the general laws of the country when any restraint upon the exercise of its prerogative interfered with the public welfare.

> "Salus populi suprema lex."

And it would be found that it was a breach of the law of nations, and of the law of England, too, to refuse to receive any envoy charged with a message of amity, whether from Rome or elsewhere, if the message did not relate to ecclesiastical matters. For these reasons he was of opinion that the measure was needless in one sense, and mischievous in another; and he therefore begged to move that the Bill be read a second time that day three months.

Mr. URQUHART, in seconding the Amendment, observed that, after the speech they had just heard, and the able analysis of this Bill by his hon. and learned Friend, the issue of the debate ought scarcely to be doubtful. This Bill was introduced at an early period of the Session into the other House of Parliament; and though it long ago came down to the House of Commons with the full blush of its terrors, yet day after day was allowed to pass away, and no further progress was made with it, and then, at the close of the Session, when Members had gone away, it was proposed to proceed with the measure. Those that were left were sitting there morning and night; they were quite worn out; and the Government, with its packed majority, thus endeavoured to get through the House such measures as it had the hardihood to attempt to pass. This was a Bill which was sure to arouse political animosities and religious suspicions, and to meet with objections both from Protestants and from Roman Catholics; and there must be some extraordinary reason for proceeding with a measure of such a character. His hon. and learned Friend (Mr. Anstey) had afforded that reason, which was nothing less than the making use of the spiritual prerogative at Rome to further the purposes of the Government of Ireland. He must say, that this was an occasion worthy of the noble Lord, and which did justify this long delay, and this indecent haste. The noble Lord, in introducing this measure, had said, in allusion to himself (Mr. Urquhart) that the establishment of diplomatic relations with the Court of Rome must be so self-evident and enticing, that he had no objections to meet except some scarecrow of his own, and that no man could scarcely have objections against a measure of this sort except himself (Mr. Urquhart), and those who shared his opinions. But he would tell the noble Lord that they had obtained from the Court of Rome, without diplomatic relations with that State, more confidence and more trusty reliance, and more self-sacrifice and devotion, than they had obtained from any other Court of Europe within their own time. Let him remind the noble Lord, when he spoke of the Bill being requisite with a view to commercial treaties, that at the time of the Berlin and Milan decrees, the means by which England was enabled to meet those decrees, and to carry her commerce, notwithstanding those decrees, into the interior of Europe, were afforded by two Governments with neither of which she had commercial relations, namely, that of Turkey and that of the Pope. Of the Pope, Mr. Koch said—

> "Having thus established the continental system, Buonaparte used every endeavour to make all the continental Powers accede to it. Prussia and Russia adhered to it after the peace of Tilsit. Denmark soon entered into this French system. Spain acceded to it (January 8th), Austria (February 18th, 1808), and Sweden (January 6th, 1810); so that for some years the continent of Europe had no other medium of communication with England than by way of Constantinople. There was one prince in Christendom who refused his accession to the continental system, and that was Pius VII. This Sovereign Pontiff declared that all alliances which prohibited intercourse with a nation from whom they had suffered no grievance, was contrary to religion. In order to punish his Holiness for this resistance, General Mollis had orders to occupy Rome (February 2, 1808). This was the commencement of a series of aggressions and attacks by which Buonaparte vainly hoped to bend that great personage. To gratify his resentment, he stript the States of the Church by a decree issued at St. Cloud (April 2nd), of the provinces of Urbino, Ancona, Macerata and Camerino, which were annexed to the kingdom of Italy.*

What could they have more than that if they had a thousand ambassadors? What, again, was it that gained them their position of warfare in Europe in the great struggle against Napoleon? Was it not afforded to them by undiplomatic Spain? These points alone were a sufficient answer to the noble Lord; for all that he had told them was, that these diplomatic relations were necessary in order to establish railroads and commercial treaties. After some further remarks, in which the hon. Gentleman urged as other objections to the Bill, that there was an interest which affected this country in the Court of Rome, as a Protestant State, which was not to be found in Catholic communities, and that by the establishment of these diplomatic relations they would be connecting the Pope with the general system of European diplomacy, the effect of which was to take away the independence of the separate States of Europe; the hon. Gentleman concluded by seconding the Amendment of his hon. and learned Friend.

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* Koch's Revolutions of Europe.

SIR R. H. INGLIS said, that while he cordially concurred in the conclusion of the hon. and learned Gentleman the Member for Youghal, seconded by the hon. Member for Stafford, in rejecting this Bill, he differed so entirely—at all events, to so great a degree—from the opinions and grounds on which those hon. Members had rested their opposition to it, that he could not content himself with giving a silent support to their proposition, and must request the indulgence of the House while he stated the grounds on which, individually, he felt it to be his duty to oppose this measure. In the first place, he must observe, that the noble Lord who introduced it appeared not merely to take a very insufficient view of the importance of this measure—speaking, as he had done, only nine minutes "by Shrewsbury clock"—on a measure that changed the constitutional character of England in regard to foreign Powers; but the grounds on which the noble Lord introduced it, were, as it appeared to him, altogether so utterly insufficient as to fill everybody who heard him with surprise and astonishment. The noble Lord rested his defence of his measure not on any large statesmanlike views, or on any considerations relating to the particular position of the Papal States to other States of Europe in the great crisis which had shaken the Continental Powers; but he contented himself with defending this Bill on these two grounds, namely, the importance of consulting the commercial interests of England, and of facilitating the means for railway communication in the south of Europe. Now, he really must say that this was almost too grave a subject on which to pursue the noble Lord through such a flimsy defence as this. Why, so far as commercial interests were concerned, he had always understood that it was the consuls of Great Britain who were generally selected to protect her commercial transactions abroad. But, let him ask, did the amount of trade between England and the whole of the Italian States—did the aggregate amount of all the commerce between England and those States—extend to as much as a twenty-fifth part of the commerce of Great Britain? That ground, then, was utterly inadmissible—no Minister had ever before alleged such a ground; nor had it ever formed part of any petition on the subject, or been advanced as an argument in favour of this Bill by any of its advocates either there or out of doors. He almost pitied the noble Lord when he found him reduced to the necessity of defending this Bill on the ground of the importance of getting a railroad over the Pontine marshes, or through Mount Vesuvius, and he knew not where. He, however, maintained that this Bill was a great fundamental change—and he regarded it as the beginning of reconciliation of England with Rome—and so he could tell the House was it looked on out of doors. But the noble Lord said that the law at this moment permitted what this Bill provided for. But was that so? Did the law permit it? Was this a declaratory Bill? Did the noble Lord state it as a declaratory Bill? It was a Bill not declaratory but enabling. It might be difficult, perhaps, to find a direct Act of Parliament which, *totidem verbis*, prevented the Queen from sending to Rome or to Constantinople any Minister she pleased; but the words "communion with Rome" had been so construed and understood for more than the last hundred years, at all events. When, therefore, the noble Lord concluded that this question had been settled by law already, he (Sir R. H. Inglis) must, on the contrary, maintain that the general opinion of England had been that that which this Bill sought to make law had not hitherto been law. Even the late Pope himself, Gregory XVI.—as high an authority, perhaps, for general history as any Sovereign reigning at the time, had said, when Bishop Wiseman—[An Hon. MEMBER: Doctor Wiseman]—he (Sir R. Inglis) had no objection to call him Bishop Wiseman—his objection was to calling him "Archbishop of Westminster." He did not deny that there were bishops in the Church of Rome—he only objected to their claiming to be bishops of places in his Queen's dominions, and against his Queen's permission and authority. But this was an episode; and he would now revert to the point on which he was engaged when interrupted by the hon. Member. There was, then, an intercourse at Rome between Bishop Wiseman and the late Pope, in the course of which the Pope—referring to the subject of that intercourse, namely, that it might be advisable to open these relations with England—said, "It is for England to begin; England has a law disgraceful to herself, and insulting to the Church; let her repeal that law." He had quoted these words only to show that the noble Lord could not rely on his statement that the present state of the law allowed such intercourse as this Bill provided; for, in addition to the voice of the historian Hume, they had the voice of the Pope himself against it, who had been shown to contend that there was a law in England which prevented that intercourse with the Court of Rome. But the hon. and learned Gentleman (Mr. Anstey) had observed that he objected to the words "Sovereign of Rome" in this Bill. He believed, however, that in the Bill as at first brought forward—and even as at first printed—the words used were, "Sovereign Pontiff," and that to those words some objection was taken; and possibly a translation of the words *Pontifex Maximus*, or *Summus Pontifex*, would have better pleased the hon. and learned Gentleman. But such was not the legal construction of the law of England—for here they took him as "Bishop of Rome"—and though in an Act of the 25th of Henry VIII., he may be called "the Pope," yet everywhere else his description is "the Bishop of Rome." Could it be possible, then, that the Pope would refuse to receive an ambassador from England, because he (the Pope) was called "Sovereign of Rome?" But now, let him ask, at what time was this Bill brought in? And where was the Pope, and who was he, and what was the Court of Rome? His objection was not against entering into negotiations with a temporal prince, whatever his religion; but the question here was, should they take this first step for establishing relations with the Court of Rome? They did not object to the civil governor of Rome; and if in the course of the next year there should even be another Tribune of Rome—another Rienzi—his objection would not extend to him. The question was, were they prepared to recognise the Sovereign of Rome in that character in which he had most influence in this country, and over the minds of so great a portion of his subjects in these realms—for the Pope had millions of subjects in these realms as well as elsewhere. He wished he could say he had not—he wished he could contradict this; but he could not, and if he could not prevent the issuing of all the edicts from the Pope which were addressed to them, let him, at all events, not do anything that would legalise them. Would any State in Europe, whether Protestant or Roman Catholic, have permitted the Pope of Rome to carve out a portion of the native dominions of that State, and to divide it into archbishoprics and bishoprics, without communication with its own Sovereign? He trusted that his noble Friend at the head of the Government would state distinctly — as he believed he could have done a few months ago—that a delicate intimation had been made to the Pope that he could not be permitted to create a bishopric in the Queen's dominions without the Queen's consent. He did trust that the noble Lord would state this: although the statement had, he believed, appeared in the *Tablet* in England, and in the *Freeman's Journal* in Ireland, that bulls were introduced into this country at this moment, and without the sanction of the Queen, dividing the Queen's dominions into archbishoprics and bishoprics, and filling them with persons not appointed, or recognised, or acknowledged by the Queen. This, he contended, no Protestant Sovereign in Europe but the Queen of England would have permitted for a moment; and he did hope that the Sovereign of these realms had advisers about her throne strong enough to reject any such proposition—at all events, he had reason to know that at least a few months ago a stop was put to such proceedings. The hon. Baronet then said, that there had been ever since 1829—he feared he must say since 1793—an unceasing effort to use the power of Rome for the advance of its religion. He did not complain of Roman Catholics for advancing their own religion; but he did complain that those who believed that the Protestant religion was the perfect form, and alone contained the great truths, and nothing but the truths, of Christianity, should give such encouragement to others. Let them not give to them any more of the vantage ground which, for the last fifty years, had been so largely yielded to them; and if they could not retrace the steps they had taken, let them beware that they did not aggravate the evil from which they had reaped such grievous results. He had already asked where the Pope was, and what he was? Was the Court of Rome represented by those who in Rome itself insulted the Austrian Embassy a few months ago? Was the sovereign power of Rome represented by the Pope and the Cardinals, who could now be scarcely said to be in a state of free agency? Did the Pope act as a free agent when he gave his blessing to his troops engaged in the unholy war against the Austrians, and called them a "sacred" army? If he did, what claim had he for any consideration? If he did not, what claim had he for any confidence? Had the Pope any claim for further recognition from this country in consequence of conduct thus pursued by him? At a time when the Pope had violated all his treaties with Austria—with Austria, the chief benefactor of the Papacy—when he had violated his treaties and personal engagements with Austria, and shown himself unable to protect the Austrian Ambassador—at a time when he had sent forth his troops to attack Austria—it was at such a time that they (the House of Commons) were asked to reverse the constitution of England. No fewer than 3,500 of the parochial clergy of England, in every diocese, had expressed their strong objections to this measure, and earnestly implored this House to give no further encouragement to that of which the individual now at the head of the See of Rome was the great representative. They had seen by this debate—so far as it had gone—that, however much this Bill might alienate the affections of Protestants, it did not conciliate the undivided affections of the Roman Catholics themselves. In the course of the month of March last, there was a meeting of the Roman Catholics of London, who presented a memorial to the Pope denouncing this Bill. If, then, they satisfied neither of these parties, why bring forward this Bill on the 17th of August? In the House of Lords, it was considered a matter of such vital importance, that it was there advanced with breathless haste; and it was sent down to the House of Commons so far back as the 20th of February last. What could explain the haste of that period, and the apathy and indifference with which they had since regarded this Bill, except the fact that they had, in February, an unauthorised Minister in Rome; and they wished to give effect to his proceedings by an *ex post facto* law. But they were too late for that; and Lord Minto had returned without Her Majesty having been authorised to open any diplomatic relations with Rome. He had stated to his noble Friend at the head of the Government, that he should feel it to be his duty to ask him two or three questions with respect to certain letters, and also with regard to the appointment of archbishops and bishops in this country, without the consent of its Sovereign. He now begged to ask his noble Friend, whether he would have any objection to lay upon the table of the House any communications that were addressed by the Earl of Clarendon to Earl Grey, in consequence of which that noble Earl addressed his celebrated circular, giving Roman Catholic bishops a title which no Act of Parliament had ever given them? and whether he would object to lay on the table a copy of the letter of the Earl of Clarendon to Archbishop Murray, in March last, in which letter, without the passing of this Bill, Lord Clarendon—whom he (Sir R. Inglis) would not name without honour and without gratitude to him for his late conduct—did directly communicate diplomatically with the Pope, through the Archbishop, on the subject of the statutes of the new colleges in Ireland? He should record his vote against the second reading of the Bill.

Mr. MOORE would only remark that if he had entertained any doubt respecting the Bill, that doubt would have been entirely removed by the speech of the hon. Baronet, inasmuch as the hon. Baronet appeared to give his assent to the substance of the Bill under consideration, and only objected to the manner in which the diplomatic relations should be conducted. As long as those relations were conducted by consuls, the hon. Baronet was perfectly satisfied; that was to say, as long as they were conducted in a surreptitious, clandestine, un-English, and, as he (Mr. Moore) thought, an unworthy way; but the hon. Baronet's religious scruples were aroused when the same thing was proposed to be done in an open and honourable manner, as the noble Lord (Viscount Palmerston) proposed. This was exactly the whole gist of the question; and because he (Mr. Moore) preferred the open to the clandestine manner—the English mode to the Italian mode—straightforward dealing to underhand dealing—that he was prepared to give his entire assent to the proposal of the noble Lord, and to express his entire dissent from the proposition of the hon. Baronet.

Lord J. RUSSELL: I think that the hon. Gentleman who has last spoken, has, in a few words, completely answered the speech of the hon. Baronet the Member for the University of Oxford; still, as the hon. Baronet applied to me in reference to some questions he put, and some objections to the Bill under consideration, I will venture to trouble the House with a few remarks. The hon. Baronet is not satisfied either with the reasons given for the Bill by my noble Friend (Viscount Palmerston), or with the reasons urged against it by the two hon. Gentlemen who have opposed it. He therefore proceeds to state other reasons of his own for objecting to the measure; and I think, with respect to the legal part, as well as with respect to the political part of the question, he has fallen into an error which perhaps is natural, from the course of our history, but which appears to me to be decisive of this whole question. According to the law of this country, the Queen, as head of the State, cannot enter into communion with Rome. The hon. Baronet says that it is quite clear from that that there can be no diplomatic relations with Rome, for that such would be contrary to law. Now, my noble Friend (Viscount Palmerston) stated that there is some doubt with respect to the meaning of that statute, but that the more probable meaning of it was, that there should not be a religious communion of the head of the State of England with the Court of Rome. But, however, it is obvious that, whatever was the danger to be guarded against, there is sufficient ambiguity in the wording of the law to make it fitting that no diplomatic relations should be formally established between this country and Rome by any credentials authorised by the Queen, unless with the consent of Parliament. I do not think that, so long as there is any doubt remaining (and persons of the highest authority we could consult did think that there was a doubt), it would be right in the Executive to take any step in this matter without the formal assent of Parliament. It is for this reason, therefore, that we propose a Bill on the subject. The hon. Baronet says that this is the first step to a reconciliation with Rome. Now, these two words, "reconciliation" and "communion," are liable to a like interpretation. "Communion" may bear the meaning of that sort of relation which was established by Queen Mary with Rome after the reign of Edward VI., and which James II. intended ultimately to establish; and the word "reconciliation" is one of similar import, meaning likewise the establishment of religious relations with Rome. That relation is one which, though actually effected by Queen Mary, and in contemplation by James II., is at present, I think, entirely out of the question. It is not a danger at all likely to arise. It is not one which Parliament would take any care to provide against, because it is, I think, as impossible as any event that can be conceived. It is, therefore, upon an advantage taken of this ambiguity that the hon. Baronet founds his whole argument; and he says, you must have no diplomatic relations with Rome, because they imply reconciliation; and the words reconciliation and communion imply the religious communion of this Protestant State with Roman Catholicism. The real question, then, before the House is this—whether, there being no longer such a danger as our ancestors thought fit to provide against in the Act of William and Mary, it is now advisable or not to keep up that barrier which exists to prevent political relations with Rome? As the hon. Gentleman who last spoke says truly enough, the hon. Baronet the Member for the University of Oxford has now no objection to these relations being established; in fact, he has no objection to consuls carrying on commercial relations, or to an English *attaché* from Florence going to Rome and carrying on political relations; but he cannot agree to those relations being carried on under statute, or by the Queen's credentials. It is, therefore, to the appearance and not to the fact that the hon. Baronet objects; and with respect to the possibility of making this alteration, I put it on this ground, that, in my view of this matter, it is far better that these relations should be placed on an open and intelligible footing, and that the mission sent to Rome should be avowed there as the representative of the Queen of England, than that it should be carried on by these unavowed and underhand, and at the same time well known, relations. The hon. Gentleman opposite alluded to Chevalier Bunsen. He was a most decided Protestant, and a representative of a Protestant State at the Court of Rome; and he is supposed to have drawn up in 1831 or 1832 certain proposals with respect to the government of the Roman States, and with respect to the reform of certain temporal abuses which existed in those States. He, a Protestant Minister, drew up these regulations; and among the persons called on to assent to them was the individual who was well known to represent and have his authority from England, and whose support and influence were required; but, although representing England, he was unable, in consequence of this ambiguity in the law, to confess that he possessed that character on that occasion. Which, then, was the better position—that of a Protestant Minister of a Protestant country openly avowing his character, or that of a Minister for England afraid and unable to avow that he stood there in the character of the representative of that country? I do not see what is gained by this hide-and-seek mode of proceeding. The hon. Baronet has stated that he has no objection to any relations with the sovereign power of Rome, if dictators or consuls existed there. I do not know exactly what the hon. Baronet means; for it is rather alarming to hear him make such declarations. He certainly does not expect that the ancient dictators and consuls should revive again; and if he means such characters as Rienzi, and persons of that kind, it would rather seem as if the hon. Baronet were engaged in some *Carbonari* conspiracy both to overturn the Pope, and set up some tribune of the people in his place. But the hon. Baronet, in making objections to that which it appeared he could not see any solid objections to, thinks that it will give some advantage to the Roman Catholic Church, and that it will look as if we were altering the Protestant character of this State; and, therefore, he thinks that it is not advisable to enter into these diplomatic relations. Now, I think it better that in all these matters we should not stand on the adventitious and artificial aid we derive from saying that we will not have any communications with the Court of Rome. The Roman Catholics may assume that there is an advantage to them in having a diplomatic intercourse between this country and the Court of Rome. Then, with regard to those who do not think so, the hon. Baronet's fears must be allayed. But I think that, if the matter is in itself right, if there is no actual disadvantage in it, it is far better to do away with this sort of fiction that now exists, that we cannot hold diplomatic relations with the Court of Rome, and let the Roman Catholics derive any benefit which they may fancy they can derive from the change. I do not think Protestantism rests upon so frail a basis. I should be much more afraid of the Roman Catholic religion if I thought that these foolish and obsolete restrictions were really the securities upon which Protestantism depended. An hon. Gentleman has asked me some questions with regard to certain proceedings that have taken place. I do not know whether he wishes to ask me now with respect to the creation of Roman Catholic archbishoprics in England. I do not know that the Pope has authorised in any way, by any authority he may have, the creation of any archbishopric or bishopric with dioceses in England; but certainly I have not given my consent—nor should I give my consent if I were asked to do so—to any such formation of dioceses. With regard to spiritual authority, the hon. Gentleman must see, when he alludes to other States in Europe, that whatever control is to be obtained over the spiritual authority of the Pope, can only be obtained by agreement for that end. You must either give certain advantages to the Roman Catholic religion, and obtain from the Pope certain other advantages in return, among which you must stipulate that the Pope shall not create any dioceses in England without the consent of the Queen; or, on the other hand, you must say that you will have nothing to do with arrangements of that kind—that you will not consent, in any way, to give any authority to the Roman Catholic religion in England. But, then, you must leave the spiritual authority of the Pope entirely unfettered. You cannot bind the Pope's spiritual influence unless you have some agreement. For my own part, I am not disposed to think that it would be for the advantage of this country, or that it would be agreeable to the Roman Catholics, that we should have an agreement with the Pope, by which their religious arrangements should be regulated. But, although you may prevent any spiritual authority from being exercised by the Pope by law, yet there is no provision—no law—my hon. Friend could frame that would deprive the Pope of that influence which is merely exercised over the mind, or that would preclude him from giving advice to those who choose to attend to such advice. It is quite obvious that you cannot by any means and authority whatever prevent the Pope from communicating with the Catholics of this country. You may try to prevent such communication from being open; but I think it would be very foolish if you took any means of great vigour and energy for that purpose. If, however, such communication is not open, it will be secret. So long as there are Roman Catholics in the country, and so long as they acknowledge the Pope as the head of their Church, you cannot prevent his having spiritual influence over those who belong to that communion. My hon. Friend put a question to me with respect to a letter of Lord Clarendon to Earl Grey, the Secretary of State for the Colonies. I do not think there is any official letter on the subject to which the hon. Gentleman referred. I think it was merely a private letter of Lord Clarendon, communicating to Lord Grey what had been done in Ireland, and that Lord Grey issued his circular in consequence. The hon. Baronet also put a question to me with respect to a letter to Archbishop Murray. That, likewise, was a private letter, and I do not think that it could in any form be produced; but I have no hesitation in acknowledging the substance and object of that letter. Its substance was to inform Archbishop Murray that Lord Clarendon had been considering the amendments in the proposed statutes of the colleges which are not yet formed in Ireland, and that he hoped those amendments would have the effect of removing the suspicion of many of the Roman Catholic clergy and laity that these colleges would be of an irreligious character, and would tend to promote infidelity. The object of that letter, no doubt was, that the Pope, who had written to Ireland, advising the Roman Catholics not to have anything to do with those colleges, should consider those amendments, which might probably lead him to withdraw his censure. I should not have supposed, had I not heard the statement of my hon. Friend, that he could have seen anything so very wrong or alarming in this letter of Lord Clarendon, or in the purpose he had in view. I remember, when that plan was first proposed, my hon. Friend lifted up his hands and said, "Here is a gigantic scheme of godless education!" That was his feeling as a Protestant. Some of the Roman Catholic bishops entertained the same objection. They apprehended—I think groundlessly—that these colleges would tend to promote infidelity. I ask, then, whether Lord Clarendon was to blame, considering the objections made by my hon. Friend, and by the Roman Catholic bishops—considering that the population of Ireland is composed in great part of Roman Catholics, and of persons who belong to the Protestant Established Church—I ask whether, after Parliament had designed a sum of money for the erection of these colleges, Lord Clarendon was wrong in endeavouring to allay the fears which existed, and to render the colleges useful to persons of all communities? Really I do not know what my hon. Friend's feeling is with regard to the Roman Catholics. When we had under discussion in this House the admission of Jews into Parliament, then we were all Christians together; Roman Catholics, Presbyterians, and members of the Church of England, were all closely united. Nothing but minute differences then separated us. There were none but the Jews who were to be excluded—who were unfit to be admitted into our brotherhood. But the Bill relating to the Jews having been got rid of, it appears that the distinction is to be as wide as ever, and our dear and beloved brethren, the Roman Catholics, have gone back as far as ever from our communion, and we are no longer to treat them with that great kindness which was used towards them when the Jews were to be the objects of proscription and exclusion. Seeing, then, that this Bill only proposes to make the law agree with the fact—seeing that Parliament must be aware of the fact that we have relations with the Court of Rome, and that occasions may arise—whether they relate to commerce, to the state of Italy, or to more general questions—which may make it advisable that we should have diplomatic intercourse with Rome, I hope the House will have no objection to sanction a Bill of this kind, which unites the law with the fact. The measure has already, under other circumstances, been agreed to by the House of Lords. It was adopted by them some months ago; but since that time certain events have occurred which have undoubtedly contributed to some extent to shake the temporal authority of the Pope. I trust, however, this House will not consider that, because that temporal authority has been weakened, now is the time for us to say to the Pope—"We should have been glad to have had diplomatic relations with you when you were strong; but now you are weak, we must decline to have any intercourse with you." I hope the House will assent to this Bill.

Mr. LAW could not concur with the noble Lord in his construction of the existing law; nor could he admit that the duty of the Sovereign with respect to carrying on relations with the Court of Rome was at all a matter of doubt. He thought it was not candid to state in the preamble of the Bill that it was doubtful whether diplomatic relations could be established with the Sovereign of the Roman States, when a proper interpretation was given of the words "Sovereign of the Roman States." The Pope of Rome was Sovereign because he was Pope. He was not Pope because he was Sovereign. The Pope created the sovereignty, the sovereignty did not create the Pope; and therefore he thought it was insincere and legally untrue to say that any doubt existed as to whether, by the existing law, it was competent for Her Majesty to hold diplomatic relations with the Court of Rome. He regretted that a nobleman of great consideration should have been allowed, in an equivocal character, to hold those relations which were forbidden by the law. The present condition of the Pope of Rome rendered it peculiarly inconvenient at this time, even if he were otherwise qualified, to open those relations with him. What had he done to entitle himself to the confidence of this country or of Europe, that he should be enabled to exercise that meddling and mischievous policy which, wielding a double sceptre, he had such facilities for doing? He had already disturbed the foundations of the Italian States. We had had an instance of the most atrocious aggression on his part against the Austrian empire. And now we were called upon to adjust those differences, when Austria, by her courage and her arms, vindicated her just rights; we were called upon to restrain that Power which had so valiantly stood alone, and maintained its own against all comers, by stepping forward to commence relations with the sovereign authority of Rome, who had been the fomenter of those disturbances. When he who had been the author of the mischief had received a check, we were asked to step in and destroy the fruits of legitimate conquests belonging to Austria, and to uphold that Power which had shaken to its foundation the Government of the Italian States. The Bill was altogether a subterfuge to legalise that which was against the constitution and the law, and the title by which Her Majesty held her Crown, and he should feel it his duty to oppose the further progress of the measure.

Mr. HENRY DRUMMOND said, that an hon. and learned Member had raised an objection to the Bill, which was of grave importance; and if he could think that it were possible, as that learned Gentleman had distinctly charged, that Her Majesty's Government were intending to make it a machinery and a means by which, directly or indirectly, the Queen should make use of the Pope or the Roman Catholic clergy to rule her subjects, he would decidedly oppose the measure, as a thing derogatory to the Crown of these realms. Her Majesty's duty was to rule Her subjects Herself, without reference to any foreign Sovereign; but he did not believe that the Ministry had any such intention as that learned Gentleman had stated. It had been alleged that this Bill was to make a great change; and the change was called a reconciliation with the Church of Rome. He would not quibble upon words; but this he would say, that anything which was to be the means of producing reconciliation among all the sects of Christendom should receive his warmest approbation. Much too long had men tried to distinguish themselves by fomenting acrimonious feelings among religious communities; and when he heard so much cheering at the sentiment that there should be peace among the nations, and war should be heard of no more, he conceived it but a vain delusion to suppose such a consummation possible while men continued to regard it as a part of their religious duty to continue their sectarian animosity. He had passed many a Wednesday with worthy, respectable, and grown-up gentlemen, who were positively in a state of panic lest bulls should come into Ireland. Now, after all, what was a bull coming into Ireland? An old gentleman in Rome put a letter in the post directed to another old gentleman in Dublin. If Gentlemen would only look hard at it, they would not be so much frightened, after all. He perceived there was a clause in the Bill to prevent the Pope from appointing an ecclesiastical person his representative. Hon. Gentlemen were alarmed lest a cardinal should find his way here; but did they suppose that by any machinery in the world they could really prevent a cardinal from coming in? They were only showing a peevish jealousy, and insulting the Court with which they sought to establish relations. A petition against the Bill had been presented from the Dean of Westminster; and the fear expressed was, that the Pope would appoint archbishops and bishops in this country. If the Church of Scotland chose to establish another presbytery in London, we could not stop it; it was no concern of ours; and, as to Roman Catholic archbishops and bishops, we were bound to acknowledge them; the Church of England recognised the orders of the Church of Rome. It was easy to talk against their titles of "archbishops" and "bishops;" but they were not mere sound—they were facts—realities—persons holding high offices, and the Roman Catholics alone were the fit judges how many there should be, and where they should be placed. Hon. Gentlemen seemed to have a great dislike to the Pope; perhaps some of them had the same feeling as was entertained in Scotland, where there was a great horror of him; first, because he was Antichrist; next, because he was identified with the "scarlet lady;" and, thirdly—which was the great offence of all—because he was a bishop. He (Mr. Drummond) looked upon this Bill as just enabling the Government to do openly and honestly what they had long been obliged to do clandestinely.

Mr. NAPIER said, the hon. Member who had just sat down had stated clearly, in his opening, the reasons on which he (Mr. Napier) founded his objections to the Bill. The hon. Gentleman stated that if it was the intention of her Majesty's Government to make use of the power of the Pope to govern her subjects in the united kingdom, he would oppose the Bill. The great question was whether the genuine—he would not say the ostensible—object of the Bill was to make use of the Pope for that purpose indirectly. This Bill went to recognise an authority not recognised by this country; and the result might be that that authority would come into conflict with that of the Queen, and divide the allegiance of Her Majesty's subjects. The British constitution protested against the jurisdiction of the Pope in these realms. The great Lord Somers, who took so prominent a part in the last Act of Settlement, said that those who simply adhered to the Catholic Church were good Catholics,—those who dealt with the Court of Rome were Papists, and enemies and traitors to the realms of England, and utterly unfit for any trust in any Protestant country. Lord Somers, by that distinction, evidently meant that those who recognised the power and authority of the Pope of Rome to be superior to that of the Sovereign of England, professed themselves not amenable to the laws of England, and they ought not to partake of the benefits of the English constitution. If the object of this Bill was to enable the Government to have negotiations with the Court of Rome, and to acknowledge the Pope, as the spiritual head of the Roman Catholic Church, to control any portion of Her Majesty's subjects, he would join with the hon. and learned Recorder of London in opposing its further progress. If it could be shown that a wholesome policy required any acts to be performed by the Government, such as this Bill would sanction, he would not oppose it; but was it right that a Government that had done wrong stealthily should now come forward and say, "These things ought to be done openly; we have violated the law; let us have a Bill which will sanction that violation." The bulk of the Protestants of the empire said that Her Majesty's Government had introduced a Bill opposed to the constitution and public feeling of this country, which would inflame discord, excite suspicion, and promote intrigue. If, as had been asserted—and the assertion had not been denied—the main object of this Bill was to govern Ireland, and if the British constitution were not strong enough to effect that object without the aid of the interference of Rome, then he would say, advisedly, they had no right to hold Ireland one single hour in connexion with England. The Bill was first introduced on the 14th of December, 1847. It was stated in another place, by one of Her Majesty's Ministers, that Lord Minto left this country accredited to all the States of Italy, except one, to which, no doubt, by the law of this country, as that law was generally understood, he could not be accredited. In introducing this Bill, the Marquess of Lansdowne said—

> "There is not a Court in the world in which it would be more useful for this Government to be enabled to explain the nature and object of its own transactions, and to lay them open to the head of that Court, with the peculiar influence he possesses in every part of Her Majesty's dominions."

Afterwards, on the third reading of the Bill, a noble Lord, formerly the Secretary for Foreign Affairs, stated that if the Bill was not intended to facilitate the dealings of this country with Her Majesty's Roman Catholic subjects, it would be useless and objectionable. It was stated again in the presence of the noble Lord who introduced this measure, that it was to make the Pope ancillary to the Government of Ireland, which he did not deny. It had been stated that evening in the presence of Her Majesty's Ministers that that was its object, and he had not yet heard any denial from the Government, although he had waited to hear from them a manly and explicit avowal that such was not its object. Was that an English course? If the Bill merely related to the affairs of Italy, he wished to know what necessity there was for our interfering with Italian affairs at all? Why should England interfere with the Pope, and embroil herself with Italian troubles? If this Bill were passed, the Government must recognise the Pope's supremacy, and enter into negotiations, which the Protestant Act of Settlement forbad. If the relations with the Pope contemplated by this Bill were sanctioned, there could be no doubt that the Pope, as in duty bound, would contrive by every means to extend his religion throughout these realms. From the earliest periods of our history, the supremacy of the Church of England had been jealously upheld by the Legislature; but we were now about to throw aside all former safeguards. The Bill said, in a shuffling way, "the Sovereign of the Roman States." Why not say the Pope at once? The real object of this measure was to govern Ireland through the Pope, and it was not therefore unreasonable in the Protestants of Ireland to view it with alarm. The Irish Protestants had been loyal and faithful, and ought not to be lightly treated. Sedition never came from their lips; but they were unnoticed and disregarded. They found in one part of Ireland disloyalty and sedition, and in another (in the north) peace and loyalty; and was it wise to depart from a system which had at least caused peace and loyalty to one portion of the population of Ireland?

Mr. ROUNDELL PALMER felt that they would be greatly deceiving themselves and misleading the country if they were to deal with this question otherwise than as with a question deserving much greater discussion in a much fuller House than at this period of the Session it could possibly obtain. If the measure were to be vindicated on the grounds stated by the noble Lord the Secretary for Foreign Affairs, with respect to commercial relations, and also by the noble Lord the First Minister of the Crown, in his able and, in that point of view, satisfactory speech, he could not differ from its principle. But in that point of view alone the measure was not and could not be of such pressing importance that it should be urged on the acceptance of the House at this period of the Session, and in the present state of public business; as it was obvious that no time could be devoted to the full and fair consideration of its import and effect, so as to determine whether it did not involve more important principles and consequences than those to which the noble Lord had adverted. The noble Lord the Secretary for Foreign Affairs had stated that this measure rested on the ground that this country had commercial relations of some, but not of great, though it might be of growing importance with the Roman States. If sufficient provision had not been made for the maintenance of commercial relations with the Roman States, the subject was a proper one for consideration; but that the House should for that reason hurry through a measure involving such collateral consequences as the present Bill, was a conclusion in which he could not coincide. The commercial interests of the Roman States had been in the same position as now since the noble Lord succeeded to office, and under his predecessors; and with respect to the railways which had not been begun in the Roman States, or even in Italy, so as to be available for the carriage of mails, he was surprised to hear that consideration stated as an argument for opening new diplomatic relations with the Roman States. He would be ready to concur in any measure for putting those relations on a proper footing, and to provide the means for carrying out such a measure, so that while its objects were open and avowed, it should be incapable of being used for other purposes than those which were avowed. But when it was proposed to establish diplomatic relations with the Sovereign of the Roman States, the head of the Roman Catholic Church, it ought to be borne in mind, that they were not only filling up a blank in their diplomatic relations with foreign Powers, but adopting a measure which might establish relations to which no other diplomatic relations had any analogy whatever. This country had no Minister accredited to any other spiritual potentate on the face of the earth. The practical question, after all, was, whether the measure was likely to be used for other than diplomatic purposes connected with the commerce of the country? If he thought it could not be used for other than such diplomatic purposes, he should not oppose the Bill; but therein lay the difficulty. The noble Lord said there were two systems open for adoption: one, as in Prussia, which authorised the Government of the State to interfere with the spiritual arrangements; "but," said the noble Lord, "we go on a different system; we have not those political relations with the Roman Catholic Church;" and the noble Lord added that he did not think it desirable they should have such relations. The proposition had been made to introduce, co-ordinately with the present Established Church of Ireland, another establishment of a Roman Catholic Church. It was impossible to doubt that if we established diplomatic relations with the Court of Rome, arrangements might be made for stopping the mouths of the opponents of a proposition for altering the relations of the State with the Catholic Church in Ireland, and for giving an advantage to those who might hereafter introduce such a measure. Under these circumstances, he could not make up his mind to vote for the second reading of the Bill at this late period of the Session, when it was impossible that it could receive the consideration which the important collateral subjects connected with it demanded.

Mr. GLADSTONE said, he felt it impossible to give a silent vote upon this question; but he would endeavour to compress what he had to say within a brief space. There were, he must confess, several circumstances connected with the question, particularly as regarded the time at which the Bill had been proposed, which made it difficult for him to give the vote which he felt compelled to give in assertion of the principle of the measure. It was an unfortunate incident, as had been observed by his hon. and learned Friend the Member for Plymouth, that the House should be called upon, at so late a period of the Session, when the minds of Members were exhausted by the labours which they had gone through, to give judgment upon a question like this, touching upon some of the highest and most delicate matters which could come under the consideration of Parliament. It was also unfortunate, as his hon. Friend and Colleague had urged, that the House should be invited to debate the question at a moment when—looking to the state of affairs in Italy—it was not improbable that in a few months the whole of the subject-matter in dispute would have passed away. It was further unfortunate, as his hon. Friend and Colleague had pointed out, that the House should be called upon to consider the question at a time when the Pope proposed to divide the English territory intoarch bishoprics and bishoprics. He concurred with those who thought that we must stand upon one of two grounds. If we declined political communication with the See of Rome, we had no right to complain of any steps which the Pope might take with respect to the administration of his own ecclesiastical affairs; but an act so directly in contravention of the laws of the land as the partitioning of the country into archbishoprics and bishoprics was a most unfortunate proceeding, not only because it was generally and justly offensive to the feelings of the people of England, and totally unnecessary, as he believed, for Roman Catholic purposes, but also because it ill assorted with the grounds on which the Parliament was invited by the present Bill to establish definite relations with the See of Rome. Having thus briefly adverted to the reasons which he thought ought to induce the Government to postpone the measure until next Session, he would now state the course which he must take upon the present occasion. It would not be consistent with his duty to evade the difficulty in which he felt himself placed by declining to give a vote for the second reading. He was determined not to blink the principle involved in the Bill. What were the grounds of the policy which this country had hitherto observed towards the See of Rome? For 100 years after the Reformation, the Pope was actually in arms for the purpose of recovering by force his lost dominion in this country. That was an historical fact. It was not referred to by him for the purpose of blame; the proceeding was conformable to the practice of the time. It was only natural that we should have prohibited relations with the See of Rome when it attacked the title of the Sovereign of these realms; but there was no reason for continuing the prohibition at the present moment, when all danger from such a cause was universally admitted to have ceased. He now came to the second ground. He felt, with his hon. Friend the Member for the University of Dublin, that there was something most unsatisfactory and unbecoming to the character of Englishmen in the present state of our relations with the See of Rome. It might he alleged that, under the existing system, we did substantially maintain diplomatic relations with Rome. He did not here allude to mere consular appointments, for they would not raise the question of diplomatic relations. But we had had agents acting in Rome on matters of great and paramount importance; and no one had ever said a stop ought to be put to that system. A necessity, that was felt to be stronger than the letter of the law, had brought about this state of things; a feeling of necessity stronger than national or party prepossessions had driven us into a practice not altogether compatible with the frankness and ingenuousness of the English character. He thought, however, that this state of matters should not exist—that the pretence ought to be made conformable to the reality, and the profession to what was the practice. He thought the hon. and learned Gentleman the Member for the University of Dublin had placed this part of the question on its true ground. It was not merely the relations which this country bore to Italian affairs that were to be considered in dealing with this measure. They would not be dealing honestly nor fairly with the case if they shut their eyes to the fact; and they would be chargeable with legislating on this question on false and erroneous pretences. It had been admitted in the House of Lords in the most distinct and emphatic language, that the demands upon Parliament to pass this Bill had reference mainly to the occasional necessity that existed for the intervention of the See of Rome in affairs of an internal and domestic character. Now, he did not think it necessarily followed that this Bill made any alteration in the position of Parliament with reference to the Church of Rome in Ireland. He was satisfied, that if a time should come when some general arrangement with the Church of Rome in Ireland should be considered desirable, there would not be the slightest pretence for saying that Parliament was betrayed into a measure of that nature, or adopted it unprepared and unawares. There would be ample evidence before that time arrived, that the establishment of these diplomatic relations had done nothing whatever to fetter the perfect liberty with which they should approach the discussion of such a subject. It was admitted that we had occasionally been subjected to the necessity of holding communication with the Roman Catholic authorities. Indeed, it could not be denied; and surely to that admission, followed another admission of the inevitable necessity for a measure of this description. He would take the instance of the Bill for erecting academical institutions in Ireland. Was it not obvious as a measure of good sense, that the passing of that Bill necessitated communications with the See of Rome? Would it have been right to institute these colleges without ascertaining what were to be the arrangements of the Church of Rome regarding them? Reference had been made to a letter addressed on this subject by Lord Clarendon to Archbishop Murray; but he could see nothing that was not perfectly fair and reasonable in that letter. He could see in it nothing offensive to any other church or denomination; because he held there was fair ground for the presumption, that if the measure had not the concurrence of the Protestant people of Ireland, they would have made their views known through their representatives. The Lord Lieutenant had held communication with the See of Rome through Archbishop Murray; and he would only say that, in his view, it would be acting wrong to establish educational institutions in Ireland and not communicate with the Roman Catholic authorities as to the manner in which those institutions were to be framed. If they granted this, then he asked if it was right that the Lord Lieutenant should be driven to an indirect and clandestine communication with the See of Rome? If they merely went to a bishop or an archbishop, who were inferior to the Pope of Rome in authority, no satisfactory arrangements could be made; they would be making covenants with persons who were irresponsible to them; and, therefore, if they wished it to be known that they made valid arrangements with the Church of Rome, they had no choice but to go to the head-quarters where such arrangements alone could be made. They might as well treat with sergeants and corporals instead of the general of an army, as with persons of secondary rank in the Church of Rome; and, therefore, as a matter of business and common sense, it had become an inevitable necessity that on those particular and limited occasions, when the House thought it necessary to legislate on Roman Catholic affairs, there should be communication with the Roman Catholic authorities. That involved communication with the Pope; and if so, it was perfectly right and proper that it should be direct and avowed, instead of being clandestine. But it was said that this would go to substitute the influence of the Pope for the authority of the Crown. He saw the force of this remark, and he was ready to admit that they ought ever to look to the authority of the Crown and the law, instead of foreign intervention, in the government of the country. But he could not look to the state of Ireland, and recollect that there were men in that House charged with the maintenance of peace and order in Ireland, and refuse to give them any aid not illegitimate which they might wish to make available for this great purpose. He would not, from any fear of being misapprehended, and of being thought to entertain views regarding future schemes—which he would leave to be dealt with when their time of ripeness came—he would not, from any such considerations, withhold his support from this measure. If it was true that, on certain occasions, when a spirit of disaffection, or something like disaffection, was manifested in Ireland, the influence of the spiritual head of the Roman Catholic Church had been beneficially used for the maintenance of peace and order, he would not shrink from saying that he regarded favourably the use of that influence, though he regretted the necessity which had arisen for its exercise; and he would conclude by stating that, on the present occasion, nothing would be done on his part to prevent that influence being openly and directly accepted whenever necessity demanded it.

Mr. NEWDEGATE said, the right hon. Gentleman (Mr. Gladstone) had distinctly and avowedly, and he would say manfully, acknowledged that he considered Her Majesty incapable of governing Ireland. Such was the conclusion to be drawn from what he had stated to the House. He had always looked on this measure with extreme dislike, and that feeling had been heightened by what had occurred during the debate. It was an attempt to obtain for Her Majesty the co-operation of a Power that never would co-operate, but which would endeavour to supersede the authority of the Government. He would give the Bill the most determined opposition.

Mr. GOULBURN said, that if he voted against the second reading, it arose from the period at which the noble Lord opposite had brought the question forward. In the other House it had been urged on as a pressing matter; but in that House the noble Lord himself had postponed it nineteen several times during this Session. He thought that the House was justified, at this very late period of the Session, in declining to enter into the consideration of a measure of this sort, deeply affecting the feelings of a large portion of the community, who were necessarily embarrassed to ascertain the grounds upon which it was specifically brought forward. After what they had heard, and the grounds upon which the noble Lord proposed this measure, and especially after the speech of his right hon. Friend near him, without expressing any opinion whether it might not be right to place upon a sounder footing our diplomatic relations with Rome, and considering, also, the conflicting arguments by which the Government supported the measure, he should give his vote against the second reading.

The House divided on the question that the word "now" stand part of the question:—Ayes 125; Noes 46: Majority 79.

List of the Ayes.

Abdy, T. N.
Acland, Sir T. D.
Adair, H. E.
Adair, R. A. S.
Anson, hon. Col.
Armstrong, Sir A.
Arundel and Surrey, Earl of
Bagshaw, J.
Barnard, E. G.
Bellew, R. M.
Berkeley, hon. Capt.
Berkeley, hon. C. F.
Bernal, R.
Birch, Sir T. B.
Blackall, S. W.
Bowring, Dr.
Boyle, hon. Col.
Bright, J.
Brotherton, J.
Brown, W.
Buller, C.
Bunbury, E. H.
Carew, W. H. P.
Childers, J. W.
Clay, J.
Clements, hon. C. S.
Colebrooke, Sir T. E.
Courtenay, Lord
Cowper, hon. W. F.
Craig, W. G.
Denison, W. J.
Divett, E.
Dodd, G.
Douro, Marq. of
Drummond, H.
Dundas, Adm.
Dunne, F. P.
Ebrington, Visct.
Elliot, hon. J. E.
Ferguson, Sir R. A.
Foley, J. H. H.
Forster, M.
Fox, W. J.
Gladstone, rt. hon. W. E.
Greene, J.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grey, R. W.
Grosvenor, Lord R.
Grosvenor, Earl
Harcourt, G. G.
Hawes, B.
Hayter, W. G.
Headlam, T. E.
Hobhouse, rt. hon. Sir J.
Hobhouse, T. B.
Howard, P. H.
Howard, Sir R.
Jervis, Sir J.
Keogh, W.
Lascelles, hon. W. S.
Lennard, T. B.
Lewis, G. C.
Locke, J.
Lushington, C.
M'Gregor, J.
Maher, N. V.
Martin, J.
Martin, C. W.
Matheson, Col.
Maule, rt. hon. F.
Melgund, Visct.
Milner, W. M. E.
Monsell, W.
Moore, G. H.
Morpeth, Visct.
Norreys, Lord
Norreys, Sir D. J.
O'Brien, T.
O'Connell, M. J.
Ogle, S. C. H.
Osborne, R.
Owen, Sir J.
Paget, Lord A.
Paget, Lord C.
Palmerston, Visct.
Parker, J.
Pechell, Capt.
Perfect, R.
Pinney, W.
Power, Dr.
Pusey, P.
Raphael, A.
Reynolds, J.
Rich, H.
Romilly, Sir J.
Russell, Lord J.
Rutherfurd, A.
Salwey, Col.
Scholefield, W.
Seymour, Lord
Sheil, rt. hon. R. L.
Shelburne, Earl of
Sheridan, R. B.
Simeon, J.
Smith, J. A.
Somerville, rt. hon. Sir W.
Stuart, Lord D.
Talfourd, Serj.
Tenison, E. K.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Tollemache, hon. F. J.
Townshend, Capt.
Turner, E.
Villiers, hon. C.
Watkins, Col.
Willcox, B. M.
Williams, J.
Wilson, J.
Wilson, M.
Wodehouse, E.
Wood, rt. hon. Sir C.
Wood, W. P.

TELLERS.
Tufnell, H.
Hill, Lord M.

List of the NOES.

Archdall, Capt.
Bankes, G.
Blackstone, W. S.
Blandford, Marq. of
Broadley, H.
Bruen, Col.
Burrell, Sir C. M.
Cabbell, B. B.
Chaplin, W. J.
Chichester, Lord J. L.
Christy, S.
Coles, H. B.
Devereux, J. T.
Dick, Q.
Duncan, G.
Du Pre, C. G.
Fagan, W.
Fox, S. W. L.
Frewen, C. H.
Gooch, E. S.
Goring, C.
Goulburn, rt. hon. H.
Grogan, E.
Gwyn, H.
Hamilton, G. A.
Henley, J. W.
Hildyard, T. B. T.
Hood, Sir A.
Hotham, Lord
Hudson, G.
Inglis, Sir R. H.
Jolliffe, Sir W. G. H.
Law, hon. C. E.
Mullings, J. R.
Napier, J.
Newdegate, C. N.
Palmer, R.
Pearson, C.
Plowden, W. H. C.
Robinson, G. R.
Spooner, R.
Tollemache, J.
Turner, G. J.
Verner, Sir W.
Vyse, R. H. R. H.
Wyld, J.

TELLERS.
Urquhart, D.
Anstey, T. C.

Bill read a second time. To be committed.

House adjourned at half-past One o'clock.

HOUSE OF LORDS,

Friday, August 18, 1848.

MINUTES.] PUBLIC BILLS.—1ª Petty Bag, &c. Office (Court of Chancery); Commons Inclosure (No. 2); Poor Removal (No. 2); Parochial Debt and Audit.

2ª Steam Navigation; Tithe Rent Charge, &c. (No. 2) Ireland; Farmers' Estate Society (Ireland); Turnpike Acts Continuance; Assessionable Manors Commissioners (Duchies of Cornwall and Lancaster); Boroughs Incorporation; Militia Pay.

Reported.—Money Order Department (Post Office); Registers of Sasines (Scotland); Court of Justiciary (Scotland); Insolvent Debtors Court.

AUSTRIA AND ITALY.

The MARQUESS of LANSDOWNE said, he understood that his noble Friend (Lord Brougham) intended to move for a copy of the despatch dated the 11th September, 1847, containing the representations of the Austrian Government in answer to the despatch of Lord Palmerston on the subject of any interference in the affairs of Sardinia. He had to state that there was no objection to lay those or any other papers upon the table of the House, tending to elucidate that very important subject.

LORD BROUGHAM:* I had expected as much from the known candour of my noble Friend. The despatch for which I move is a document of great importance, not only from the pending negotiations, in their reference to our relations with Austria and the Italian Powers, but also with regard to France, to our peace with that Republic, and I may say to the peace of Europe at large. It will prove to all mankind that Austria never entertained the least design or even desire to break in upon the arrangements made by the Treaty of Vienna. When my noble Friend in the other House (Lord Palmerston), as I conceive somewhat unjustly, administered what seemed a reprimand to our ancient ally, by giving warning that we should resent any attempt against Sardinia, or against the Roman States, the answer was promptly made that nothing could be further from the wish of Austria than to aim any blow at the Sardinian monarchy; that on the contrary, she would join with us cordially in resisting all such aggressions, holding fast by the guarantee given in the Treaty of Vienna. Then, as to the Roman States, she was if possible still more bound and more resolved to resist any assault on the Holy Father from her intimate connexion with the See of Rome. But what might not have been so naturally expected from the conservative habits of Prince Metternich—though I believe he has never shown a disposition to resist any improvement, however averse to such proceedings as have of late disgraced Germany, and such as have declared strongly in favour of his prudent counsels—Lord Palmerston having warned Austria also against interposing with force to prevent the people of any State in Italy from effecting internal changes, his answer was distinctly that no such intention existed, nor any desire to prevent any peaceable improvements in the institutions of any Italian State. The production of so important a state paper, is not more an act of mere justice to Austria, and her highly distinguished statesman, than it is a useful document with a view to the existing negotiations.

But now it was said that France would interfere in Italy, and our joining in the mediation might prevent such a misfortune. My Lords, I say nothing against this project at all: well meant it certainly is, it may possibly be wisely conceived also; I wish it all success. But I must profess my entire disbelief of any real intention on the part of France to commit so signal an act of indiscretion as employing force in Italy. That there are some persons, not remarkable for either knowledge or wisdom, who busy themselves with calling out for an Italian campaign, I am well aware.

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* From a Report published by Ridgway.

But they are not very many, and they are even far less important than numerous; they are visionaries, agitators, speculators in mischief, preachers of general revolt, men who can only see an abuse in each established Government, who can fancy no benefit to France greater than involving all others in the ruin that she is suffering under. These men are unceasing in their outcry against the continuance of peace, strenuous in their fanatical promulgation of propagandist doctrine, loud in their calls for violent courses, incessant in their thoughtless demands of a warlike interference with Italian affairs. "Why," said these wise politicians, "why don't you march across the Alps? Why keep troops idle and useless at Paris? What need can there be of 50,000 men in a capital where no breath of faction, no whisper of revolt ever is heard? All men know—say these sage counsellors—that we have more troops than we can employ to keep a peace in no danger from any quarter. France, from the Channel to the Mediterranean is in profound repose. Since the revolution of February there has not been the faintest echo of a tumult—no rising, nor any threat of it, on the 17th of March—none on the 15th of May, when the mob merely turned the National Assembly neck and crop out of their Chamber—nothing in the world more—no tumult on the 22nd of June—further than the streets all flowing with blood for a day or two—nothing whatever at any time requiring the presence of troops, martial laws, or state of siege. Then, all Lyons, Nantes, Bordeaux, Marseilles, Avignes, Nismes, Dijon—all quiet—all wrapt in deep repose. Why keep any troops whatever in so peaceful a country? Why not send all into Italy to help the usurpation of Charles Albert, or spread democracy over the land? And then for money—why there is a superabundance of it—credit strong—money a drug—trade too prosperous—merchants surfeited with profits—a general plethora of wealth—stocks up at 110 the threes, 130 the fives—more capital than can be used—the revenue doubling every week—the debt swept off by payment of twenty shillings in the pound! Surely, argue these profound and accurate thinkers—these sage and prudent counsellors, nothing can be more absurd than for France to keep peace, of which she has no kind of need, and avoid war, which is certain glory to her name, and the sure vent for her superfluous wealth—her unemployed armies?" Such I do not believe to be the language of General Cavaignac—he is none of the visionaries I speak of—he is a sound practical politician, and will think twice before he lets his country go to war for any theory. But others are brimful of such visions, as for example, M. Lamartine is one of the tribe. He, a famous romancer, a middling poet, a worse historian, is full of propagandist notions—and when at the head of affairs, he scrupled not to issne a manifesto only paralleled in the records of the National Convention during the reign of terror. He proclaimed goodwill to whatever people chose to revolt against its rulers, and pursue revolutionary courses. They should, he said, be left to themselves as long as there was a prospect of their being able to work out their own emancipation; but as soon as they were failing, and the regular Government against which they had risen was overpowering their resistance — why then France would show herself the friend of the oppressed, and give them her succour to break their chains. This, he said, was the "Mission" of France especially—that is, she was created, and sent upon the earth to accomplish universal revolution. Since 1792, no parallel has been furnished to this; since the famous decree of 19th November in that year, the decree that France was the auxiliary of all insurgents—the decree which plunged Europe into a twenty years' war.

My Lords, I deem it my bounden duty to consider for a few moments the great question of foreign policy now calling for the attention of this House, of the Government, and of the country; and as I shall be readily acquitted by my noble Friends opposite of all factious motives, or any intentions hostile to them, I prefer submitting my views of the subject rather to them than to the people out of doors, or even your Lordships at large. I take the case to be this: We should lay down to ourselves some fixed principles for the basis of our conduct—trace out for our course some known, intelligible, definite line of duty and of policy, instead of varying from day to day according to the aspect of events—taking up one plan to-day, another tomorrow, as fortune may wear a different face—and making ourselves the sport of blind chance, rather than the followers of a rational system, the votaries of positive duty. Now I understand the system which is built upon the known public law of Europe, which has its foundations upon the admitted rights of nations and the general interests of all, as best secured by the independence of each. I recognise the force of treaties, and the positive duty of abiding strictly by their provisions. They form as it were the statute law of nations. As long as we plant our feet on this secure foundation, we shall find rest; it is a sound, an intelligible, a rational system—above all, it is connected with the public law of Europe—and at once strengthens and is supported by all her most venerable and most cherished institutions. There has, however, been invented of late years a very different principle, which its visionary apostles call nationality. They bid us look not to rights, whether as secured by prescription, by possession, or by treaty—but to national origin, and national diversities—and in pursuit of some chimera or some *ignis fatuus*, imperfectly perceived, confusedly described, but supposed to knit certain nations together, and to separate them from others, these visionaries set all common honesty as well as all common sense at defiance, rush on an endless voyage through an unknown sea, without chart or compass, and care not how swiftly or how extensively they involve the world in war. The region which they have especially chosen for the trial of their theories, is fair Italy. They must needs have all that country united under one head; all the people of that country formed into one nation. Italy! why it is, as Prince Metternich well said, a geographical name, and not a political. It expresses the country, as certain of its own poets have said, which the Apennine divides, and the sea and the Alps surround. It means the long territory between the Genoese gulph on the one side, and the Adriatic on the other. But it denotes no one country, nor is it inhabited by any one people. The interests of its different portions are diametrically opposed, Genoa conflicting with Venice; both with Leghorn — all with Naples. The tongues spoken by its districts are wholly different; so that a Piedmontese and a Lombard cannot converse together, nor a Genoese and a Milanese, nor a Calabrese and a Roman, nor a Sicilian and a Neapolitan. Italy is a series of principalities — each principality a cluster of towns—each town alien to, and as hateful as alien, to its nearest neighbour. A monarchy forming all these jarring materials into one mass—a republic composed of such parts—a federacy of republics as the visionaries would have it, formed by concatenations of these hostile States, and designed to unite them all into one—why you may as well speak of harmony in a string of vipers, or union among a nest of scorpions! The Paris visionary—the club spouter—the radical journalist—knows nothing of all this; having only heard of the fine Italian sky—of the beautiful garden of Europe—of the clever Italian songster and painter and poet;—aye, but the great bard and patriot of Italy, knew all this, and how did he paint his countrymen—

> "Not only town with town holds ceaseless war,
> But townsmen whom one wall, one moat surrounds,
> Each other gnaw (rode) with hate that scorns all bounds."

Nor is this anything new; Italy never was one country; Italians never were one people; a union of their different States never existed in reality for a single hour. Go back even to the Roman times—there were the Greeks in the south, the Gauls in the north, nations wholly different from the Romans; each petty State conquered and colonised by Rome, differed [as much from each other as all did from the capital; and there existed no one tie of either blood or origin, or tongue, or faith, or manners, or interest to knit them together; the only link being their common submission, by force of their common subjection to the iron yoke of the Roman, that is, the foreign conqueror. Accordingly we know that Hannibal, who had met with some resistance in the north, no sooner crossed the Alps, than he walked through all the States of Italy, as through an unresisting medium—opposed in no one place, except in the ten or dozen Roman colonies, those garrisons of Romans planted to secure the conquests of the central city. So it has been in times nearer our own; I don't speak of the great divisions of Naples, Rome, Venice, Lombardy, Genoa, Piedmont; but each of these is subdivided. So that at the famous peace of Constance, in the end of the twelfth century, Lombardy consisted of no less than seventeen petty states or towns; all hating each other with the fervour which Dante paints in the well-known passage that I have cited, and have marred, I fear, by a sorry version which my noble Friend (Lord Lansdowne) will hardly pardon, as we studied that great poet together under the illustrious Monti—I fear to remind him how many years ago. The awful Florentine bursts forth in his celebrated invective, suggested by the mutual hatred of his countrymen—

> "Oh Italy, of wars the common inn,
> Bark without steersman in the tempest gale:
> No village fair one—gentle yet though frail—
> Strumpet (Bordello), thy guilt's less hateful than thy din."

And what is the remedy which Dante, patriot as he was, but of the Ghibelline or Imperial party, points out for such discord? The interference of the German Emperor, with his force, to check, compress, control these hostile elements. This celebrated invective is directed against that prince for leaving Italy to herself, and not hastening to her aid, that is, to assume the sway over her, and silence her ceaseless jars. Of all these things, the coffee-house declaimers, and the newspaper oracles of Paris, and the oracles of the coterie and of the street corner, are of course profoundly ignorant. But my noble Friends opposite cannot be so ill-informed, they cannot have fallen into the dream of Italian unity. Above all, I am sure my noble kinsman (Lord Minto), whose expedition into Italy is often referred to, cannot have so far deviated from his rational and discreet habits as to foster such vagaries of the fancy, or to join in them where he casually may have seen them in vogue. I know too well his sound judgment, well tried while he was in a most difficult and delicate diplomatic situation, while I was a Minister of the Crown at home; and I am bound to say that greater discretion and firmness, greater capacity for the duties of his mission, did I never see in any whose operations it was my province to join in superintending. Such profound ignorance of Italian affairs, now and in times past, as marks the visionary of Paris, never could belong to my noble kinsman. His personal qualities forbid the supposition, his illustrious historical alliance alike forbids it. It is otherwise with the agitators of Paris. These speculators in revolt, of whose utter ignorance and profound incapacity I have been speaking, are urging on their Government, and in vain urging, to take hostile steps towards Austria, in order to terminate her dominion beyond the Alps. Of this course being attempted by any Government endowed with reason, I have no kind of apprehension. But a mediation is undertaken in connexion with England. Now, on this I would first of all remark, that, for the reasons I have assigned, it would be both absurd and most unjust to exert ourselves, whether with or without the concurrence of France, to make a new distribution of power in Italy, governed by the wild notion of treating the Italians as one people. But on our joint negotiation I would next observe, that we must always recollect the different position of the two intervening parties. The interests of France are entirely different from our own; they are opposite to our own—diametrically opposite—in regard to the Austrian rule in Italy. It is for the benefit of France that Austria should be as much reduced as possible, have her dominions as little protected, and her frontier as much weakened as possible; while our interest is to have her as well protected and as little exposed as may be. It is no benefit at all to France that she should have her next-door neighbour very strong—quite impregnable. But for that very reason it is a benefit to us that this neighbour should be strong, as a counterpoise to France. Of course I dismiss with contempt the foolish notion of natural enemies. But so powerful a State as France must ever be—as she must again be when her revolutionary crisis has passed away, and a solid regular Government restores her prosperity, so sadly interrupted since February last—ought, for the sake of general security and peace, to be surrounded by powerful and wholly independent States; because, as long as men are men, the truth is ever to be kept in mind—*Cui plus licet quam debet eum semper plus velle quam licet.* Now, all the remarks I am making on our joint intervention and its possible objects, are wholly independent of the question of right arising from the actual possession of Austria, secured to her by the most solemn treaties. Again arises a further diversity between the position of England and France. France, under her revolutionary regimen, of course cares little for the arrangements of Vienna; nay, under any Government, she would not be much expected to support and defend those arrangements; for they were all made with the view of curbing her ambition, and maintaining the independence of her neighbours. She can no more be expected to feel very zealous in defence of that treaty, than a malefactor can be appealed to for his help against the mob which attacks the gaol he is confined in. But we stand in a very different position; we were the very heart and soul of the alliance; the immortal victories of my noble and gallant Friend enabled us to dictate the terms at Vienna; his negotiations as a statesman consummated what his work as a warrior had begun; and much as at the time I may have disapproved of some portions of the arrangement then made, after above thirty years of possession have sanctioned it—after the structure reared on it has become the law of Europe—Heaven forbid that I should suffer without resistance one stone to be removed from the arch that supports it, and by supporting it has secured the peace of the world. I would, then, impress—earnestly impress—upon my noble Friends opposite the peculiarity which marks this joint intervention—that the two mediating Powers stand in wholly different circumstances, have different duties to discharge, and different, nay, conflicting interests to pursue.

But there is another thing also to be borne in mind. The French Government and ours stand in totally different relations to the parties between whom we are mediating in a still more important particular; the French party, Charles Albert's, is beaten, and completely beaten; the English party —which I hope and trust it is—which it must be if there be any faith in friendship between nations, any regard to the ancient and the true policy of this country, and to the interest which all countries have in the sacredness of treaties—our friend, our old and faithful ally, is victorious, and completely victorious. We, then, are called upon to interpose and save the friend, the tool of France, from the consequences of his utterly faithless conduct—to ward off from him the blow he has courted—to interpose between him and the punishment so justly due to his foul aggression upon our unoffending neighbour—and to stay the hand of our old ally when it is ready to fall upon the ally, I will not say of France, but of the visionaries and agitators in the clubs of Paris. In fact, the war is over; the insurrection of Milan is quelled; the invasion of Lombardy is at an end; the tide of war is rolled back to the frontiers of the aggressor; and the victorious standards of those brave men who have waged defensive war—the only war that is not a crime—now wave beyond the Mincio, the arms of the triumphant Marshal threatening the capital of him who broke the peace. I have heard with astonishment some vain and idle talk of asking Austria to be now content with the borders of the Adige, that is, to give up half the dominions which Charles Albert invaded, and which she triumphantly defended—to give up Mantua and Peschiera as well as Milan—because Milan rebelled, and, not daring to fight, has been reduced to complete subjection, and because Mantua and Peschiera, the great fortresses of Lombardy, have fallen before the Austrian armies. In a word, Austria being attacked in a period of profound peace, and having victoriously repelled the attack, her enemy is to have half her dominions, because he is defeated, and as a reward for his unjust aggression —a compensation for his signal and most merited discomfiture. I believe, in the history of war and of negotiation, there is no match to be found for this proposal. But here, in passing, I cannot refrain from expressing the sentiments of admiration which I believe are general over Europe—except in the rebellious clubs of Milan and the insurgent circles of Paris—the admiration of Marshal Radetsky's brilliant talents and noble courage, above all, of the humane resolution which he adopted to retire from the town rather than quell the revolt with his artillery, as he could infallibly have done, for the Milanese bluster ended in perfect inaction; but he nobly disdained to hold his position at the cost of sacrificing so many lives of misguided men, between whom and their wicked leaders he could draw no distinction, and he at once quitted the scene of anarchy, retiring through a friendly country and falling back upon his resources. The supplies of men which he received do the highest honour to the vigour of the Austrian Government, considering the distraction which must then have prevailed from the rash adoption of organic changes in the Government—changes for which the people were wholly unprepared, which unavoidably entailed for a while confusion, and might have brought imbecility upon the Government. Yet its resources were with admirable promptitude and perseverance made available to the Marshal's assistance; and, beginning his advance, to make which with the more effect he had planned his most skilful retreat, his whole progress was one continued victory, till he took the capital of the province, received the surrender of all the fortresses, freed Venice from the temporary yoke of an imbecile and tyrannical faction domineering in the name of the people, then nobly abstained from pursuing his progress, and granted an armistice to his beaten foe when he might have signed a peace in his capital—Turin the Countess—making him pay the costs of the war. The veteran warrior, thus uniting all claims to our praise, as temperate in victory as firm under reverses, needs no feeble panegyric of mine; but his qualities are to be regarded as those which both render wars more unlikely, and assuage their fury when they do break out; therefore I have assumed the liberty in passing to offer him the humble tribute of my admiration.

And now Charles Albert has been driven from the plains which he for a season was allowed to ravage; he has retreated within his own dominions, which, without a crime against the peace of Europe, he could not quit, against that Treaty of 1815 by which he holds those very dominions. Things are thus in *statu quo ante bellum,* and we are to mediate in order to effect some new arrangement, some distribution of territory different from that which all parties had before made by treaties to which all were alike accessaries. Austria, it seems, is now to be asked to give up part of her dominions, which she holds by the same title and with the same peaceable and firm possession that she did twelve months ago; and the ground of the demand is, that she has been, in defiance of all law, all right, all good faith, attacked in those dominions, and has at a vast cost of blood and treasure triumphantly defended them, and signally defeated the aggressor. For his crimes she is to suffer; for her having beaten him he is to be rewarded.

But then I hear from the Parisian agitators, not certainly from any who deserve the name of statesmen, a great talk about foreigners ruling in Lombardy—Germans aggrieving Italy with their yoke. My Lords, I much fear that this language, how consistent soever with the state of political dominion among our Parisian neighbours, is not very decorous, certainly not very wisely or very reflectingly used among ourselves. Whatever offence some romantic natures may take at hearing other tongues spoken than the Tuscan in Italy, don't let us forget the matter of fact, and become parties to all this abhorrence of foreign sway, this tenderness about a country holding various nations in subjection, a dominion composed of many provinces, peopled by divers races. Our own empire, magnificent, glorious as a whole, what is it in the detail but a thing of shreds and patches? In England two nations, speaking different languages—in Scotland as many—in Ireland the same—at Gibraltar the Spanish with the English—in Mauritius and St. Lucia, French without English—in Canada the same—in the Ionian Islands, Greek—in Trinidad, Spanish—in Guiana, Dutch—in the East some half-dozen tongues, and as many religions—to say nothing of Hong-Kong, with the religion of Fo, and the language of the Chinese Tartar. Assuredly we of all people have no great right to turn up our eyes and raise our hands aloft at the spectacle of a German prince owning an Italian province. Then truly we had better also from policy and prudence as well as courtesy, look at home when we join the Paris clubs in sympathy with the Milanese insurgents —had we not better make the case our own? Why is the old Christian maxim, so often applied to the concerns and the conduct of individuals, to have no place as to the concerns of States; and the conduct of rulers? How, then, let me ask, should we like if the Austrians were to join with the Spanish sympathisers at Gibraltar—or the Americans in the neighbourhood of Canada, urging them, peradventure helping them, to cross the St. Lawrence against our colonial yoke, or the Atlantic against our Irish domination? What answer we should make I need hardly ask. We should fight them, probably beat them. But so has Austria done; she has fought and she has beaten the sympathisers in Lombardy, and now we are called upon to take their part. But what answer is the Emperor likely to give, when we lecture him upon his Italian affairs, and beg off the discomfited rebels? I should little wonder if it were something like this: "I have long held a very valuable province beyond the Alps. My ancestors have held it before me three centuries and upwards. It is a noble possession; of great extent, of vast fertility, with a fine climate, warm, though somewhat moist, peopled by a race of men ingenious, agreeable, fanciful, abounding in eloquence, less remarkable for judgment—*satis eloquentiæ—sapientiæ parum*—easily led by the agitator, and lured to feed his silly vanity or his sordid avarice; not much regarding the value of what they are taught to cry out for, nor indeed stopping to understand what it is; but of late embodied in clubs, holding vast meetings too large for any discussion, having great processions, even attempting to arm and to train themselves—urged on by their leaders and their inflammatory newspapers to threaten revolt and war; fired with ardour to fight, threatening battle, very ready to brag and bluster, somewhat unwilling to fight — speaking daggers, using none—good soldiers when embodied under good officers; but, left to themselves and their misleading chiefs, fonder of talk than of fight. And now these misguided thousands are intoxicated with the thoughts of victory without the inconvenience of battle, and meditate obtaining revolution without persevering in revolt; the word that so excites them being "repeal of the Union with Austria," the cry that flatters their hopes by seeming to consult their interests—being "Lombardy for the Lombards." "Such my Italian province, such my Italian subjects," I can fancy the Emperor saying, "and your gentlefolks of England are full of sympathy for them. Pray just allow me very respectly to whisper in your gentle ear one little word." "What?" "Ireland." Yes, for there is not one single tittle of what I have been saying, not one solitary particular of all I have spoken to describe Lombardy, that does not in every one item describe Ireland as well. Then, again, let me beg of you—I address myself to the Government—let me intreat you to reflect how you should like to have an Austrian negotiator seeking to make terms for the Irish repealers, or the Canadian insurgents, or the Hindoos, or the Mahometans, with their Moguls, their Peishwas, or their Rajahs, in the East.

Besides, are we not somewhat out of time with our mediation? Surely it is of the latest; the moment for it is oddly chosen. Two months ago we were asked to interfere, and we declined. At that time we might have done some good to Austria, and saved a great effusion of blood. But then at that time Charles Albert was successful—never to anything like the degree which the Milan papers, equal to those of Dublin in their exaggerations, fondly represented. Yet Radetsky had retreated, and Charles Albert had advanced, therefore we declined to interfere; and now we step forward when not only Charles Albert is beaten, but when the war is really at an end, and there is nothing to mediate about. Really I expect to hear the Austrian Emperor express his thanks for our kind intentions, only lamenting that they should be so fruitless. "I am infinitely obliged," he may say, "for your goodness. It is true I had rather you had interfered when I asked you, and when your mediation might have been of some use. Now all is over; the Piedmontese, who fought gallantly enough, are routed; the Milanese, who never fought at all, are quelled; their leaders are in prison, awaiting their trials. But still I am willing to take the will for the deed; and to show you my grateful sense of your kind disposition towards me, as betokened in your obliging offer of mediation, by my acts rather than my words, I now make you a handsome offer—I will mediate between you and Smith O'Brien and Gavin Duffy." I declare I hardly know how we should take offence at such an answer from Austria.

But we hear it said that the Emperor is a foreigner in Lombardy. Why, what but a foreigner is Charles Albert? He is a Prince of the House of Savoy, a transalpine territory. But his people, whether in Savoy or Piedmont, are no Italians; their language is not understood in Italy, any more than the German spoken by the Austrians; and the Austrian Emperor himself is more an Italian than the Sardinian king, for he is grandson of the Grand Duke of Tuscany. So entirely foolish are all the pretences set up by the Paris politicians to justify a war against Austria on behalf of Lombardy.

But now let me ask on whose behalf are we to interpose our mediation? It must be either on behalf of Charles Albert or of the Milanese. What does Charles Albert deserve at our hands? His crimes, what title to our aid against Austria do they present? It is his crime that the peace was broken—his crime that the Treaty of Vienna was violated—his crime that the insurrection of Milan broke out—his crime that Lombardy flowed with blood, and the peace of Europe has been placed in hazard. He of all mankind should have been the last to raise his hand against treaties—he is the creature of treaties—his monarchy is made up of fragments, which sometimes force, sometimes fraud, sometimes the chances of war, sometimes those of inheritance, obtained, and then treaties confirmed and cemented together. Even Sardinia, from which his title comes, was obtained by treaty as late as 1720; down to 1815 he has been by almost all treaties that were made a gainer, and in the latter year he obtained Genoa, made the dependency of an absolute monarchy, instead of continuing an independent commonwealth; nay, his own succession to the monarchy was secured to him by that very Treaty of Vienna against which he dared to lift his hand. And how did he perpetrate his offence against the peace of Europe? Did he announce his intention? Did he, like an honest man, apprise his neighbour of his resolution to declare war? Nothing of the kind; on the contrary, he solemnly assured the Austrian Government, on the 22nd of March, that it was his determination to do whatever could best secure the continued amity and good neighbourhood with Austria—I quote his very words—and for the purpose of amity and good neighbourhood he signed, on that self-same day, his proclamation of helping the insurgents in Milan, and of marching his army into the Austrian province! The manifesto was published on the 23rd, and must of course have been prepared and signed on the 22nd. Most assuredly, if such conduct is rewarded with our patronage, and with our good offices to obtain for him the prize he so foully played for, there is little encouragement held out to fair dealing among princes. It cannot be for him that we are to mediate. He is too well off if Austria shall leave him as he is; too well off if we can, to prevent a war, save him from the indignation of his victorious enemy on the one hand, and his discontented subjects on the other; too well off if, having violated the treaty that gave him—most improperly I have ever contended gave him—Genoa, he shall still be suffered to retain it.

But then is it for the insurgents of Milan that we are to mediate, and all for the good pleasure of the Paris journals and clubs, for that is the real secret of the proceedings? I would ask, are you quite sure that the people of Lombardy desire your interference against Austria? I don't now speak of the Milan clubs, and agitators and newspaper writers—I speak of the Lombard people at large. If they are as hostile to Austria as I sometimes hear them described, I am sure they are neither very wise nor very grateful. Observe, I say not one word in favour of the treatment given by that Government to the political chiefs, who were unhappily taken in plots against the State, and were so summarily punished for their offence: I don't wonder at their resentment, and that of their partisans. But I speak of the people, not the patricians, the princes, the grandees of Milan, who have their views of ambition to gratify, and find them thwarted by the German connexion; but the people at large—the small landowners, the industrious farmers, the peasantry, the traders—and that the Austrian yoke presses so lightly on these classes, as to be felt anything rather than galling I affirm, from the conduct of Austria, and from the recent conduct of the Lombard people. Austria has expended two millions and a half yearly, equal to five millions in this country, in works of public utility—roads, drains, bridges, canals, above all schools; and I will cite with pleasure the wise and patriotic and truly paternal answer of the late Emperor, when asked for a new law against assassination: "No," said he, "but I will plant schools, and, trust me, when the people have learnt to read and write, they will give over stabbing." But the inestimable benefit of an excellent police has also been bestowed on the country—a blessing everywhere most important to a people's comfort; in Ireland, for example, most precious, but in the country where men are given to stabbing, of incalculable value. The people have lately given ample proof that they appreciate the benefits which they have derived from this wholesome regimen. Far from taking any part with the Milanese agitators, further still from countenancing the late invasion, they have taken part with the Austrian army; they have refused to join the insurgents; they have amply provided for the wants of Radetsky's troops, who were never an hour without supplies—they have withheld all support from the Piedmontese—who give as one reason of their retreat, the want of provisions. I think then that I am enabled to ask that our intervention shall not have for its object the gratifying of a faction at Paris, and its friends at Milan, by taking part against a Government which has the good opinion of the people.

My Lords, I cannot bring these remarks to a close without giving a most peremptory contradiction to the groundless reports of the French agitators, that I have shown myself inimical to their country: nothing can possibly be more false than this charge. There exists not a man in this House, or in this country, more friendly to the close and cordial connexion of the two countries than myself. Furthermore, no man has a more deep sense of the great merit of the French people. But I make a distinction between that great nation and the mob of Paris. Napoleon said to some one who confounded the two bodies, "You mean the Parisians—nothing can be better than France, few things worse than Paris." This saying has the usual exaggeration of an epigram, but also it has a large foundation in truth; only I limit its application to the factious few in Paris, and hold the bulk of the people there as entitled to our profound respect for acquirements and capacity; to our esteem for their virtues, to our love for their amiable qualities. That the factious now feel ashamed of the misery which they have brought upon their country by the late deplorable revolution, I can well believe. If they would have us forget their follies and their crimes, let them betake themselves to works of peace, and in re-establishing order, abstain from encouraging revolt and massacre. Above all, let them avoid the course they are now pursuing of raising the people in other countries against their lawful rulers, for the purpose of diverting the public gaze from the ruin into which they have plunged their own unhappy country, by precipitating all other States into the same gulph. That peace may be restored to France, without which it is vain to expect the return of prosperity, is my most anxious hope. That we may have no more cause to abhor the crimes of the misguided populace in her capital by witnessing scenes enacted there, at which all Europe stands aghast, I devoutly pray. But that the peace of Europe is safe, do or attempt what these men will, I confidently believe—while I yet entirely approve of the course taken by the Government in joining the negotiation now pending—convinced that whatever preserves the friendly feeling between the two countries is advantageous to both; and also persuaded that it is wise to take away from the French leaders even the shadow of a pretext for interference with the arrangements made above thirty years ago in Italy, however entirely I may at the same time believe that any such interference by force, or by any thing like force, is at present impossible.

The MARQUESS of LANSDOWNE having, before his noble and learned Friend rose, stated that there would be no objecjection to lay the despatches upon their Lordships' table, did not consider it necessary on this occasion to enter into any discussion upon the many topics to which his noble and learned Friend had referred. With respect to that particular despatch, it was one to which Her Majesty's Government were as anxious as his noble and learned Friend to draw the attention of their Lordships. He entirely concurred with his noble and learned Friend in thinking that the professions contained in the despatch from Prince Metternich, in answer to one received by him from Lord Palmerston, dated the 11th of September, 1847, were most satisfactory on the part of Austria, as far as those professions announced what were the principles and the intentions of Austria. It was certainly satisfactory to obtain a declaration of that description at that particular moment, and to have it recorded and placed upon their Lordships' table; because, undoubtedly, at the period when the despatch of Lord Palmerston was written, and which had called forth the declaration on the part of Prince Metternich in reply—in consequence of events which within the recollection of their Lordships had occurred at Ferrara, a very general apprehension had prevailed, not in Italy alone, but throughout Europe, that there might be on the part of Austria, from whatever motive, a disposition to interfere with the progress of those reforms which at that moment were being, or were about to be, developed in almost every State of which Italy was composed. Under those circumstances it certainly did become most desirable to procure what they had succeeded in procuring—a declaration on the part of Austria of her intentions. That declaration exhibited, on the part of Austria, a proof that neither now, nor at any future time, would Austria interfere with those reforms, so far as they were reforms; but, on the contrary, that she was actuated by a disposition—for evidence of which she referred to past transactions—to carry out such reforms, and apply them to the circumstances of the present day. That was a most satisfactory declaration, as far as an expression of opinion went. In the objections entertained by Austria to the establishing, or rather to the attempt at establishing, what had been termed the romantic system of unity in Italy, the Government of this country could not fail to perceive considerable force; for they saw, as Austria did, all the difficulties that would probably be attendant on such an event. In no part, therefore, of these transactions had the British Government given any encouragement to efforts that might be calculated, at least at this moment, to prove successful to a design of that nature. That which Her Majesty's Government had done throughout these transactions, and the principle and rule which had guided their conduct, had been —not, as his noble and learned Friend had been misled by rumours to believe, a desire to interfere—but a readiness to interfere when called upon by their allies to do so; having in that interference no other object than the safety and interest of those allies, and the preservation of the public and European peace. It was by that standard that he wished these transactions to be judged, whenever they should come to be examined. He had the satisfaction of thinking that their motives and object, in this respect, had been duly estimated by the parties to whom they more immediately had reference. His noble and learned Friend seemed to assume that, in the case of Lombardy, there had been something like interference on the part of this country for the purpose of establishing the independence of that province; and he had condemned the policy of such a step. Now, throughout the whole of these transactions Her Majesty's Government had done nothing of their own mere motion. They had, it was true, listened to the request made to them by Her Majesty's Allies—they had entered into the most full, ample, and particular explanations with those Allies, whenever they were asked to do so, as to the advice which they would give, and the nature of the mediation which they could undertake. From the very beginning of these transactions, in the month of May, when Baron Nieumann came to this country, up to the present moment, when he (the Marquess of Lansdowne) had received a despatch from Baron Wiessenberg—but which despatch he did not at present intend to produce—there had been evinced on the part of Austria an anxious desire and indication to this country that she should interfere with her good offices in these affairs; and he was proud to say that not a doubt existed as to the motive from which that had been done. He said this with great satisfaction, because at the present moment circumstances had occurred to indicate the perfect uniformity and sympathy of feeling which existed, not between this country and any romantic unity of States, but between England and a practical Government at Vienna—fortunately headed, as that Government was, by a person well known to Europe—a person, too, not unknown in this country, in which he filled an honourable post with great distinction, and obtained the esteem and approbation of all who knew him. From that person there had been, almost every day since he left this country, and indeed even so late as the 15th instant, despatches received, in which a desire was expressed for the mediation (if mediation should be necessary) of the British Government. The same feeling was expressed by Baron Neumann before, and by Baron Wiessenberg after, the successes of Marshal Radetski. Could there, then, be any doubt as to the friendly relations existing between the two Governments, or of the unshaken confidence which was placed by the Government of Vienna in the intention, principles, and policy of this country? In this respect, therefore, the Government of England stood on very high grounds; and were he now at liberty (but which he was not) to state the precise contents of the despatch from Baron Wiessenberg, it would, he was happy to say, prove not only that the Austrian Government had preserved its ancient force and energy, when required to be exerted in its own defence, but—without entering at all into the merits of the contest now waging—he might confidently affirm that it at the same time gave proofs of sense, wisdom, and moderation, which could not fail to be conducive to the termination of this contest between Austria and Sardinia: and, by the termination of that contest, to the prevention of European discord and European war, which would be the inevitable consequence of conflicts of this nature being allowed to continue and spread. Having the satisfaction to make this statement, he certainly did not think it would be becoming in him, on the part of Her Majesty's Government, at the very time when they were called upon to interfere, and when they thought they could rely with something like confidence on being able to effect a mediation acceptable to all parties, to utter a word calculated to hurt or irritate the feelings of any one of those parties—whom, whatever Her Majesty's Government might think of their conduct, or of any one part of their conduct, they were bound to conciliate; and, if they could, to unite. He would not sit down without expressing his satisfaction at the approval which had been declared of the course pursued by Her Majesty's Government in endeavouring to effect this arrangement, in unison with the present Government of France. That had been done upon the most mature consideration. He was bound to say, that up to the present moment nothing had occurred with respect to that course which could shake their faith in the wisdom of the step they had adopted. They had every reason to believe that the French Government had entered upon this joint mediation with the same spirit, and with the same desire to effect an amicable adjustment of the contest now pending between Austria and Sardinia, as had influenced Her Majesty's Government throughout the whole of these transactions. So far from being influenced by any of these wishes for change, or pretensions for intervention, which were ascribed to certain coteries in Paris, he was happy to believe that the Government of France had entered into this engagement with perfect good faith, and was as anxious as Her Majesty's Government were to avoid a war, which, in its consequences, would involve them as well as other nations in interminable scenes of distress, difficulty, and discord.

LORD **BROUGHAM** replied, that he considered no kind of importance could be ascribed to the Austrian despatch alluded to by Lord Lansdowne. We had refused the request of Austria two months ago, and then we interfered without being asked, because Charles Albert was beaten. True, a new letter asking us not to mediate but to lend our "good offices," came here, dated 9th August, before the fall of Milan and Venice was known to Baron Weissenberg. But we had sent our despatch to Paris and Turin before that letter of 9th August was even written.

The MARQUESS of **LANSDOWNE** said, we never refused Mr. Humelauer's proposal two months ago, we only took time to consider it.

LORD **BROUGHAM** said, we took time to wait upon Providence. We waited to hear whether Charles Albert was to be beaten or not.

Motion agreed to.

FARMERS' ESTATE SOCIETY (IRELAND) BILL.

The EARL of **DEVON**, in moving the Second Reading of this Bill, remarked, that whatever differences of opinion might exist with respect to other measures necessary to cure the evils under which Ireland laboured, there could be little difference on this point, that it was essential to the welfare of that country that facility should be given in every way for the improvement of the agriculture of Ireland. Great facilities had lately been given for the sale of land in that country by the passing of the Encumbered Estates Bill; and the object of the present measure was to facilitate the purchase of land. This Bill would enable a number of individuals, by the union of their small capitals, to do that which any single individual of large capital was at liberty to do at present—to enable them to purchase land in large quantities, and sell it in small quantities. He was aware that an alarm prevailed in some quarters lest it should have the effect of perpetuating the system of small holdings in Ireland. He admitted that that system was a great evil; but he entertained a strong conviction that the passing of this measure, so far from increasing or perpetuating that evil, would furnish the best and most effectual means of getting rid of it. At present there were 812,000 persons in Ireland holding land, whose holdings did not exceed fifty acres, and the question was, would it not be better that some portion of those persons should be enabled to become independent yeomen, instead of discontented and miserable tenants, by the purchase of land in freehold in portions of not less than thirty acres? Any individual at this moment might purchase land, in any quantity, and sell it in any quantity he chose. He might buy, for instance, 100 acres, and sell them to 100 persons in portions of one acre each: there was nothing in the law to prevent any individual from doing so; whereas by the Bill then under consideration all the land purchased by the company must be sold in portions of not less than thirty acres. So far, then, from its tendency to encourage a minute subdivision of land, it would, to a certain extent, counteract that tendency. If by means of this Bill they could secure the introduction into Ireland of a certain proportion of persons possessing thirty or forty or fifty acres of land in freehold, with the independence which that possession would give them, he maintained that such a result would form a most important element in securing the tranquillity of that country. Now, it had been ascertained upon unquestionable evidence that there did exist in Ireland a considerable number of persons with small capital, which they were anxious to invest in land; and it was to enable this most desirable class of persons to do so, that this Bill had been brought forward. He begged therefore to move that it be read a second time.

LORD **BEAUMONT** said, that on looking into this Bill, it seemed to him that its effect would be to create not only a small but an insolvent proprietary in Ireland, and that, in addition to the difficulty of collecting the taxes upon such property, there would be the difficulty of collecting the purchase-money. This Bill gave the power of purchasing allotments of not less than thirty acres upon the payment of a certain portion of the purchase-money at the outset, and on condition that in ten years the whole should be paid up. Now, what he feared was, that in the eagerness for the possession of land which prevailed in Ireland, persons of insufficient capital would rush into the market and purchase land; and being unable to extricate themselves from the responsibilities thereby incurred, they would be evicted with the loss of the little capital they had originally possessed. This was a repetition of Mr. Feargus O'Connor's plan. The excuse of the Government for introducing such a measure, and of the House for passing it, must be the disordered state of Ireland, which rendered such remedies necessary lest the malady should become worse. He doubted whether any parties under this Bill would be able to make a purchase within the time which it prescribed; and he feared the result would be the creation of a wretched proprietary, and continued subdivision of the land.

The Marquess of LANSDOWNE observed that, with reference to the recent state of Ireland, the Bill was of considerable importance. A Bill had been passed to facilitate the sale of land in Ireland, the effect of which would be to bring a great deal of land into the market; and the object of the present Bill was merely to enable a certain number of individuals to do what any one individual might do, and on terms more safe and advantageous, because one individual could parcel out the land at once, and form a pauper cottier tenantry; whereas this Bill sought effectually to secure the creation of a certain number of small proprietors. He felt distinctly authorised to say, on the part of the noble Lord who presided over the Government of Ireland, and whose attention had been called to the proper means of establishing a number of small proprietors in Ireland, that in his opinion this Bill was the most practical step that could now be taken towards effecting that object.

The Earl of DESART was understood to object to the Compensation Clause.

The Earl of RODEN thought the Bill was likely to increase the evil of small holdings, by which paupers were invariably multiplied; the districts where such holdings were found were the worst.

The Marquess of CLANRICARDE denied that the effects of the Bill would be to prevent the eviction of bad tenants, or to facilitate the eviction of good. He himself had had the honour to propose a Bill for the prevention of those cruel evictions of tenants, of which they had seen so many examples. But it never was his opinion that landlords should not evict bad tenants. On the contrary, it would be impossible to improve their estates, if they had not the power of evicting those tenants who were unable or unwilling to pay their rents or cultivate their grounds. But if the landlord wanted to get a good tenant off his land in the manner in which some of these cruel evictions had been effected, he should not be permitted to do so without making him full compensation. As to the subdivision of land, to which so much objection had been made, thirty acres was the minimum prescribed for a farm under the Bill.

Lord MONTEAGLE supported the Bill, but signified his intention of proposing some amendments in Committee.

Lord REDESDALE thought there were objections to the Bill on principle. He thought that they should not give power to a company to purchase land for ever. It ought to be limited to twenty years, and their application could be made to Parliament to permit a renewal of the term.

The Earl of GLENGALL, if he thought the Bill had the slightest chance of being operative, should feel himself placed under the disagreeable necessity of stating fully his reasons for opposing it. But he felt quite assured that it would be wholly inoperative. If by any chance it should really come into effect, it would be found that it promoted subdivision of land to the utmost degree possible. He begged their Lordships to look at the exceeding difficulty that the landlords of Ireland had in preventing subdivision of land at present. They found it almost impossible to prevent it, do what they would. For his own part, for the last twenty-two years he had granted only two leases, and he never would give a lease of his land if he could help it, except indeed he might to some merchant, or to some one who was going to build a mill. And still with all the precautions that could be taken, it was like the attention of a cat watching a mouse that was required to prevent the subdivision of holdings. As to the Incumbered Estates Bill, which the noble Marquess had so praised, he (the Earl of Glengall) hoped that in the next Session of Parliament a Bill would be brought in to repeal the clauses that had been introduced into that measure by the House of Commons.

Bill read 2^a.

House adjourned.

HOUSE OF COMMONS,

Friday, August 18, 1848.

MINUTES.] PUBLIC BILLS.—1° Millbank Prison; Slave Trade (Equator); Slave Trade (Muscat).

Reported.—City of London Sewers; Controverted Elections; Labouring Poor (Ireland); Unlawful Oaths (Ireland).

3° and passed:—Commons Inclosure (No. 2); Petty Bag, &c. Offices (Court of Chancery); Ecclesiastical Patronage Suits Compromise (Ireland); Corrupt Practices at Elections; Metropolitan Commissions of Sewers.

PETITIONS PRESENTED. By Lord Dudley Stuart, from several Lodges of the Independent Order of Odd Fellows, for the Extension of the Benefit Societies Act to that Order.—By Mr. Hume, from James Glass Bertram, of No. 4, Castle Barns, Edinburgh, Printer of the North British Express Newspaper, for an Inquiry respecting his Case.—By Mr. Anderson, from the Commissioners of Supply of the County of Orkney, for Inquiry respecting the Crown Lands of that County.—By Sir William Somerville, from the Great Southern and Western Railway Company of Ireland, for Licensing the Omnibus Carriages (Dublin).—By Lord Charles Wellesley, from the Board of Guardians of the Fordingbridge Union, in the Counties of Southampton and Wilts, for an Alteration of the Poor Law Union Charges Bill.—By Mr. Hume, from Members of the Independent Order of Odd Fellows in the Middleton and Heywood District, against the Provident Associations Fraud Prevention Bill.—By Mr. Gibson Craig, from Henry Rankine, Archibald Walker, James Cumming, John Grant, and Robert Hamilton, at present Prisoners in the Calton Jail, Edinburgh, for Inquiry into their Case.—By Mr. Philip Bennet, from the Rev. Frederick Herbert Maberly, M.A. Vicar of Great Finborough, in the County of Suffolk, for Inquiry respecting his Suggestions for the Improvement of Steam Vessels.

SUPPLY—EDUCATION (SCOTLAND).

House in Committee of Supply.

On the question that 125,000*l.* be granted for public education in Great Britain,

VISCOUNT MELGUND was understood to complain of the new system of encouragement for schools in Scotland, as tending to promote sectarian differences—the very thing the State should prevent.

MR. HENRY DRUMMOND considered that all religious tests should be removed from the business of education. The great universities of this country ought to be open to all Her Majesty's subjects. The Government appeared to be unconsciously following a track leading to the establishment of the French system of education, which was a gross violation of the rights of parents. The great danger was, that the Government might interfere more than was proper in this matter of education.

SIR G. GREY conceived that many of the points referred to by the noble Lord were deserving of the consideration of the Education Committee of the Privy Council.

The LORD ADVOCATE agreed that Scotland had overgrown her system of parochial instruction; he conceived that the various suggestions respecting retiring allowances and other points would be duly considered. He wished the members of the Established Church of Scotland would bring their minds to the consideration of the important point, whether, as the great body of Dissenters in that country did not materially differ from the Established Church, they would not do well to open the parochial schools by removing the test which, under the present law, applied to the admission of schoolmasters. If that were done, they would immediately bring into one harmonious national system the education of nearly the whole population of Scotland, and there would then be experienced very little difficulty with respect to increased local taxation, which would be willingly submitted to by all parties, for extending the national and parochial system of education.

MR. HENLEY inquired whether the learned Lord was prepared to advocate the abolition of tests for professorships in universities? [The LORD ADVOCATE: For Scotland and lay chairs.] He considered that the education in Scotland had been good, because it had been founded on religion. He desired to know in what state the question stood between the Church of England schools and the Education Committee of the Privy Council, in respect to the condition offered to the former by the latter. The opinions of the Government being in favour of a combined system of education, led men's minds, justly or otherwise, to mistrust any condition which hereafter might give power to the Government to go further than the condition seemed to warrant. He therefore wished to know whether the Home Secretary could give the House any information as to how this question stood, and whether any progress had been made in the settlement and arrangement of it?

SIR G. GREY said, a good deal of communication on the subject had passed between the Education Committee of the Privy Council and the Archbishop of Canterbury, the President of the National Society; and with respect to the observation of the hon. Gentleman, that many members of the National Society would not be bound by the rules it might adopt on this subject, he could only say that the most rev. Prelate might be supposed to represent their feelings; and he was not aware of any organ that could be taken as a more satisfactory exponent of their wishes, as well as of the wishes of all other members of the Established Church. He hoped that the result of the communications going on would be the introduction of such qualifications in the management clauses as might be satisfactory to all reasonable men, without sacrificing the principle which the Education Committee of the Privy Council had thought it necessary to insist upon.

Mr. GLADSTONE thought that the question put by the hon. Member for Oxfordshire was one of great practical importance; and he was sincerely rejoiced to hear that there was a probability of arriving at a satisfactory conclusion on the subject. He could not find fault with the Government so far as the principle of those management clauses was concerned. He thought that they had good ground for taking security for the better constitution of the Church schools; and if those clauses were better framed, and with a regard to the just jealousies of the members of the Church, he believed the adoption of them would confer a very great and substantial benefit. Although arrangements with the National Society did not bind the Church, yet he might express a confident opinion, though without authority, that if the terms—modified as he believed they had been by the National Society, in order to meet the views of the Government—could be accepted by the Government, the vast majority of the clergy of the Church of England at once, and ultimately, he would venture to say, the entire clergy, would be contented with the system that should be so agreed upon between the Government and the National Society. There were real difficulties connected with the subject, arising chiefly out of the ambiguity and latitude attaching to the expression, "members of the Church of England." He believed that, in nine cases out of ten, the complaint of the clergy was, that they could not get the laity to take interest enough in the management of these schools. They were anxious to court, not what was called interference—that was an injudicious term, and tended to prejudice the case—but the assistance and co-operation of the laity in carrying on these schools. Leaving everything to turn on mere pecuniary qualification, they would open the door to faction where local heats prevailed, and introduce the greatest confusion in the management of those schools; but if they could adopt regulations by which in every case persons qualified, members of the Church, that is, living in the actual use of the ordinances of the Church, should be associated with the clergy, a great benefit would be conferred on the Church, which would be readily acknowledged by the clergy. He was bound to admit that the assistance of the laity in some remote districts was not always employed for the purpose of promoting education. If they succeeded in making an arrangement of the kind indicated, it would be accepted not as a compromise, or a choice between greater and less evils, but a very great increase of valuable assistance would be given to the Church in the matter of education, and a very great benefit conferred on the whole of the people.

Lord J. RUSSELL: I agree with nearly all that has been said by the right hon. Gentleman. I am happy to say that the correspondence which has taken place between the Committee of Council for Education, the Archbishop of Canterbury, and others acting with him on behalf of the National Society, has been nearly brought to a close—I trust, satisfactorily to both parties. The difficulty with regard to this question was not of our raising; it was a proposition of the Committee of Council for Education before we belonged to that Committee. The difficulties, however, have not been captiously raised on either side. They belonged to the subject. The chief of these was that mentioned by the right hon. Gentleman, namely, the vagueness of the term, "members of the Church of England." I think the National Society has done very fairly in asking that greater stringency should be given to that definition. There has been some correspondence as to the proper mode of obtaining that stringency; but I believe that part of the correspondence is now even in such a state that no actual differences exist; and I may say that part of the question has been settled. Two points were left on which there was scarcely a shade of difference between us; and I trust these also will be brought to a satisfactory termination. I was very glad to hear the right hon. Gentleman say that he thinks it desirable that the laity should take part in the management, and wherever it is possible they should form a portion of the governing body of these schools; on the other hand, I entirely agree with him that the difficulty has been, not in obtaining the admission of the laity—on the contrary, the great anxiety of the clergy has been that upon them rested not only the greater part of the pecuniary burden, but nearly the whole of the labour and management was left on their hands, in consequence of the lack of a similar zeal and anxiety with reference to education on the part of the laity; but I trust that this difficulty may be overcome, and that we shall make progress in this respect. The Committee of Council have not the least wish to impose any terms which will give the Government further power of interference with these schools. With regard to the subject of education in Scotland, I can only regret that at this period of the Session it is quite impossible to enter into the various important questions adverted to by my noble Friend. It is much better to reserve the matter till another Session. With respect, however, to the conduct of the Committee of Council, they certainly did not wish to aggravate any difficulties that might exist with respect to combined education.

Vote agreed to.

House resumed. Committee to sit again.

SUPPLY—VANCOUVER'S ISLAND.

On the question that the Speaker leave the chair, to go into Committee of Supply,

Mr. CHRISTY rose to call the attention of the House to the proposed grant of Vancouver's Island to the Hudson's Bay Company. He had taken up this subject, not from any interested motives, but because he believed that the complaints of the settlers were just and well founded. Those complaints had been laid at the foot of the Throne, and he considered that before Vancouver's Island was granted to the Hudson's Bay Company, they should be carefully and thoroughly investigated. In 1670 the Hudson's Bay Company obtained a Charter from Charles II., granting them all the trade and territory east of the Rocky Mountains, and extending to the Oregon boundary on the south. In 1690 they applied for a confirmation of their charter, and an Act of Parliament was passed extending the powers of the charter for seven years. That Act expired in 1697, and, although a Bill for again renewing the charter was submitted to Parliament, so numerous were the petitions against its extension, that the measure was ultimately abandoned. In 1748, petitions were presented to this House against the grasping policy of the Hudson's Bay Company, and they obtained no fresh privileges then. The next stage was when Lord Selkirk, a proprietor in the Company, was desirous of founding a colony of European settlers in that district; and the colony established by him, now numbering some 10,000 persons, was the only colony existing in this territory. There had been various opinions with respect to the validity of the charter; but he would more particularly call attention to the complaints of these settlers, as forming a ground for withholding any further grant of land to the Company until these complaints had been inquired into. It appeared that these settlers were not allowed to hold land except under certain stipulations; that they were obliged to perform military service; that they had no means of communicating with Great Britain, or importing goods thence, except through the Company, in whose vessels they imported goods to the amount of 30,000*l.* a year, but whose policy drove them to buy of the United States; that the money of the colony was entirely paper money, the bills of the Company; that the settlers were not allowed to deal in spirits with the Indians. Now, Vancouver's Island, of a grant of which the Crown had held out hopes to the Company, was a place of importance, not only from its coal, but also from the security of the harbours there; while the system of the Company had been utterly opposed to colonisation, as unfavourable to the fur trade. It was not his intention to move an address to the Crown; but he submitted that the grant ought not to be made until Parliament had had on opportunity of expressing its opinion on the subject.

Mr. HAWES would not make any reference to what had been said with respect to doubts regarding the validity of the charter, because that was a question to be decided elsewhere; but he could satisfy the House that the arrangement made by the Colonial Secretary was beneficial to the public. Soon after he entered the Colonial Office, many parties manifested a desire to colonise Vancouver's Island. They were invited to send in their plans; but not one of those sent in was accompanied with any thing like a show of security that the parties would be able to carry out the object in view. Several gentlemen continued still in correspondence with the Colonial Office upon the subject; in every instance there was a desire to meet their views; but until the Hudson's Bay Company made their offer, the communications all ended in this—that the parties thought the island might be colonised with great advantage, but that they had not the means of carrying that object into effect. Nor was it surprising; this was one of the most remote spots from this country, considering the route by which alone it could be reached. But a powerful Company, with capital, with ships, with large adjacent possessions, applied to the Colonial Office for a grant of what they called the North West Territory, including Vancouver's Island; this was declined; subsequently they sought for a grant of that island. What were the objections to such a grant? Charges had been made against the general administration of the affairs of the Hudson's Bay Company—charges which were brought to the notice of the Colonial Office by a resident who was dissatisfied with that administration. The charges and the Company's defence were carefully considered, and the noble Earl (Earl Grey) came to the conclusion that, though the Company had satisfactorily met the charges, yet, looking at all that had been disclosed in those charges and that defence, the subject deserved further investigation, and a communication was consequently made to the Governor General of Canada to inquire accordingly. Now, let it be remembered that the Company had the exclusive right of trading with the natives of these regions; that they had, at this moment, a very flourishing settlement on Vancouver's Island; that it was not likely to be colonised by private enterprise, not because of its climate and soil being less attractive than those of other colonies, but because the cost of conveying an emigrant to it would be three or four times the cost of conveyance to other colonies. Moreover, the grant was simply a territorial grant; the government of the colony would be a perfectly free one; there would be a governor and an assembly, and the making of laws, and the collection and application of revenue would be altogether in the hands of the assembly, and not of the Hudson's Bay Company. Few, probably, would advocate a considerable grant of public money at this moment to colonise the island. Yet there were strong reasons for taking means to occupy it. Unless occupied speedily by British settlers, and under British auspices and British authority, it would be occupied irregularly. It possessed a considerable mass of good coal, which it was of great importance to have raised without delay. But to open and work mines was a very expensive thing; it was not likely to be done by private individuals. Under these circumstances it was thought desirable to occupy the island by the aid and assistance of the Hudson's Bay Company, who possessed capital, and were inclined to proceed with the undertaking. But the hon. Member said that this grant ought not to have been made until the complaints against the Company had been inquired into. Now, that would have taken considerable time; the district with regard to which they arose was of great extent; it was not thought desirable to leave the island unoccupied pending such inquiries. What, too, were the charges? They were made by an individual; they were very imperfectly sustained by evidence entitled to weight; they were answered completely by the Governor, and still more by documents to which he (Mr. Hawes) would refer. He had alluded to a reference made to the Governor General of Canada. Lord Elgin, on June 6th of the present year, referring to these complaints, relating to the Red River settlement—hundreds of miles from Vancouver's Island—had written thus:—

> "I am bound, however, to state, that the result of the inquiries I have made is highly favourable to the Company, and has left on my mind the impression that the authority which they exercise over the vast and inhospitable region subject to their jurisdiction is, on the whole, very advantageous to the Indians. From Colonel Crofton, who resided for a considerable period at Red River, in command of a detachment of troops, I derived much valuable information with respect to their system of administration. More especially, it would appear to be a settled principle of their policy to discountenance the use of ardent spirits. It is indeed possible that the progress of the Indians towards civilisation may not correspond with the expectations of some of those who are interested in their welfare. But disappointments of this nature are experienced, I fear, in other quarters as well as the territories of the Hudson's Bay Company; and persons to whom the trading privileges of the Company are obnoxious may be tempted to ascribe to their rule the existence of evils which it is altogether beyond their power to remedy. There is too much reason to fear that if the trade were thrown open, and the Indians left to the mercy of the adventurers who might chance to engage in it, their condition would be greatly deteriorated."

Lord Elgin referred to information which he had received from Colonel Crofton, who had been resident in the Company's territory for a considerable time, and who said, writing on the 12th of February, 1848—

> "I unhesitatingly assert that the government of the Hudson's Bay Company is mild and protective, and admirably adapted, in my opinion, for the state of society existing in Prince Rupert's Land, where Indians, half-breeds, and Europeans are happily governed, and live protected by laws

which I know were mercifully and impartially administered by the recorder and magistrates."

The American Government appointed an exploring expedition, which visited these parts; they described the Red River settlement as advancing in civilisation, and flourishing—they visited Vancouver's Island—they travelled through portions of the North West territory—and they bore uniform testimony throughout to the good government by the Hudson's Bay Company of this vast district. The hon. Member spoke of the settlement of the Red River as a failure, said that the Company had not settled or colonised successfully there, and intimated that a company whose object was profit in furs was not a company to whom colonisation ought to be intrusted. At the Red River settlement, with a population of about 5,000, there were to be found four Protestant churches, nine Protestant schools, attended by 500 scholars, four Roman Catholic schools, a Roman Catholic bishop, and several Roman Catholic priests; there had been no backwardness in providing religious instruction. The Company had the island granted to them only upon condition that they formed a settlement or settlements within five years. Past experience in regard to colonies must satisfy any one that the sale of land would not produce funds to carry on the general government and establishment of the colony; and if it was said that they might obtain great advantages by the sale of coal, he would ask why had no private individuals in this age of enterprise come forward to work it? Why, the cost would probably far exceed what any private individuals would embark for the sake of the small sale likely to take place for years to the vessels trading there; the trade had to be formed; there was no existing demand. If it were said that the grant of the land was of such extreme value, he would point to the conditions—the settlement to be formed, the emigrants to be sent out, the capital necessary to work the coal. If it was supposed that the Company would acquire any great influence by the grant, his answer was that the legislative assembly elected by the inhabitants would hold all the real power of government in its hands. If still objection was made, he trusted he should hear of some other plan of colonising this island; it was of great importance to occupy it; and for a year and a half he had been in communication with parties, and most anxious to promote every attempt to form a free and independent colony there; but it had not been his good fortune to meet one single individual possessing the requisite capital or support, and willing to embark in this undertaking. It was thought right, therefore, to accept the offer of this Company to colonise, on condition that they had a territorial grant, stipulating on the other hand for a perfectly free government by a governor, council, and assembly. With regard to the charges made against the Hudson's Bay Company, though he thought they had made a good defence, he still considered that the whole question should be investigated by an impartial party. A gentleman holding the Queen's commission, appointed governor of the settlement of Red River, had been instructed to inquire into these charges and report upon them. Technically, no doubt, he was governor under the Company; but he was an officer in the Queen's Army, and a gentleman of his rank would not be likely to conduct the investigation otherwise than fairly and impartially. To appoint a Commission from this country to inquire, would consume both time and expense. For the satisfaction of parties, and for throwing light upon the condition of that vast and remote district, it seemed desirable to have further inquiry; but, after considering the charges and the evidence in support of them, it had not been thought that they were of such a serious nature as to form a ground on which to refuse the grant of Vancouver's Island.

Mr. GLADSTONE said, that nothing but the profound conviction which he entertained that the question before the House involved great public interests, could induce him to delay the Speaker leaving the chair to enable the House to go into a Committee of Supply. He would state at the outset that, although in his opinion the noble Lord at the head of the Colonial Office had committed a most gross error with reference to this matter, yet he believed he had acted only on public grounds, and was uninfluenced by any improper motive. Nevertheless the noble Lord had, with reference to this question, erred in a manner more signal than any person who had ever been intrusted with the administration of colonial affairs had before done in any other instance. The House had heard the speech of the Under Secretary for the Colonies, the organ of the Government upon this occasion, and what did it consist of? Partly of an endeavour to make good the character of the Hudson's Bay Company, and partly of a plea that it was necessary to speedily occupy Vancouver's Island—that the Hudson's Bay Company was the only instrument available for that purpose—and that therefore we ought to avail ourselves of it. If, however, it could be shown that there were valid objections to committing this charge to the Hudson's Bay Company, the House would be justified in calling upon the Government to pause before it completed the arrangement which had been agreed upon. Better act slowly and well, than rashly and mischievously. This was not a question of a day, or year, or a generation; it was a question regarding the fate of an island in which, probably, at some future period, the world might see a powerful State commanding a great portion of the trade between the archipelago of the Pacific and the continent of North America. Without wishing to cry up Vancouver's Island, he felt justified in saying that it was a most valuable possession. Its climate was temperate, and assimilated to that of Great Britain—its soil had not been sufficiently explored to enable any one to determine its character as a whole; but it had been ascertained that a large quantity of it was very fertile, and a considerable portion was ready for immediate use—it abounded in a most valuable mineral—the Pacific afforded the most favourable opportunities for steam navigation, whilst its harbours were of the finest description. The Under Secretary for the Colonies might ask how it happened that if Vancouver's Island offered all these advantages, it had not yet attracted British capital and enterprise to its shores. But it must be borne in mind that it was not determined that the island was subject to British rule until 1846, and since then the domestic circumstances of this country had not been of a nature to encourage the diversion of capital to a distant possession. The Under Secretary for the Colonies let slip an observation which showed the opinion he entertained of the value of Vancouver's Island—the hon. Gentleman said it was necessary to occupy it immediately, otherwise it would be occupied by others. He would now raise the general question as to whether the Hudson's Bay Company were capable of fitly discharging the functions with which the Government was about to intrust them. The world had already had experience in the matter of colonisation by companies. A few nights ago the Under Secretary for the Colonies descanted eloquently on the miserable condition in which South Australia continued, as long as it was subjected to the control of a company. As regarded Vancouver's Island, the Hudson's Bay Company was at once a trading company and a land company. It was an exclusive company in the narrowest and tightest sense in which the word could be applied; and a high authority had said, "Of all expedients which could be found for stunting the trade of a new colony, that of an exclusive company is the most effectual." A land company had an interest in colonisation, but a trading company compelled the colonists to compete with a powerful monopolising body. Upon that ground, the Legislature had deprived the East India Company of its trading powers. The experiment of managing colonies by trading companies had been tried and failed in the old North American colonies; and he might particularly refer to the cases of Virginia and Massachusetts. The objection to a trading company under such circumstances applied with tenfold force to the Hudson's Bay Company. There never was a case in which the evils of monopoly acquired a more rank development than in the instance of that Company. In the case of the Hudson's Bay Company, the monopoly of land and trade was aggravated by absolutism in politics covered by the cloak of impenetrable secrecy. In the vast British empire all imperial concerns were made public, and particulars relating to all the Queen's subjects were placed upon the tables of both Houses of Parliament, for the information of their Members. But what did any of those whom he was now addressing know, by means of Parliamentary information, of the Hudson's Bay Company, and the condition of the country—as large as the continent of Europe—which they held under their rule? Absolutely nothing. We knew that they had a charter, and a license to trade; but with respect to the government they had established, the power they exercised, the sanctions by which they enforced that power, the condition of the people, and the laws by which they were regulated—with respect to all these points we knew absolutely nothing. Those who wished to obtain information upon these interesting points, must hunt through the works published by travellers, American exploring expeditions, and missionaries: none could be had in an official shape. The charter granted to the Hudson's Bay Company by Charles II., in 1670, conferred enormous powers upon them on condition that they should present two elks or beavers to the Sovereign of Great Britain whenever he thought proper to visit that portion of his dominions. In 1690 the Company applied to Parliament for a Bill to confirm their powers for ever; but the trading interest of England having got wind of the matter, prevailed upon the Legislature to pass a Bill confirming the Company's powers for seven years only. In 1697 another Bill was introduced for continuing the Company's governing powers, which for some reason not apparent Parliament refused to pass; and from that moment to this the Company possessed no Parliamentary sanction for their governing powers, and the House of Commons was now as free to question them as if no Act had ever been passed on the subject. They had never ventured to maintain their title in a court of law, and they had never occupied more than some portion of the coasts of the territory to which they laid claim; the interior was explored by the French fur traders. When the North West Company established themselves, the Hudson's Bay Company did not dare to go to law with them; but after some bickering the two companies coalesced, and then the Hudson's Company felt themselves again at liberty to carry on the system of absolutism in which they had revelled from the first. He was not speaking without book with respect to this part of the subject, for when the Hudson's Bay Company and the North West Company were at variance, the latter company took the opinion of Mr. Bearcroft, which was given in these terms:—

> "I am of opinion that the King, without the assent of Parliament, cannot legally grant to any company, or to any individual, an exclusive trade for ever, together with a right to seize the persons and goods of subjects, without process of law; and that such a grant, if made, is illegal and void, and without effect."

Sir Vicary Gibbs also gave his opinion as follows:—

> "Such a charter may certainly be good in some cases, but I am of opinion that the charter in question was originally void, because it purports to confer on the Company exclusive privileges of trading, which I think the Crown would not grant without the authority of Parliament."

Next came the joint opinion of Sir A. Pigot, Mr. Serjeant Spankie, and Mr. Brougham. Those lawyers declined to touch the question whether the Crown had the power to make a grant of land to the Company, but they go on to say:—

> "Besides that this charter seems to create, or attempt to create, a joint-stock company, and to grant an exclusive right of trading, there are various clauses in the charter, particularly those empowering the company to impose fines and penalties, to seize or confiscate goods and ships, and seize or arrest the persons of interlopers, and compel them to give security in 1,000*l.*, &c., which are altogether illegal, and were always so admitted to be, and among other times, even at the time when the extent of the prerogative in this matter was maintained at its height, to grant an exclusive right to trade abroad; and even if by virtue of their charter they could maintain an exclusive right to trade, we are clearly of opinion that they and their officers, agents, or servants, could not justify any seizure of goods, imposition of fine or penalty, or arrest or imprisonment of the persons of any of His Majesty's subjects. Probably the Company would have some difficulty in finding a legal mode of proceeding against any of those who infringe their alleged exclusive right of trading, or violate their claimed territory; for we hold it to be clear that the methods pointed out by the charter would be illegal, and could not be supported."

He would now read to the House an extract of a letter addressed to the then Under Secretary of the Colonies by Messrs. M'Tavish, Fraser, and Co., and Messrs. Inglis, Ellice, and Co., on the 1st of February, 1846:—

> "The legal opinions we have taken upon the whole subject in this country are quite decided as to most of the powers granted by the charter to the Hudson's Bay Company, and especially those under which the Company claim to seize persons and confiscate property; they also leave no doubt as to the invalidity of the grant to Lord Selkirk, or to the extension of any grant or power purporting to be made by the charter beyond the immediate confines of the Bay."

As far as the Hudson's Bay Company was a trading company, the circumstance was an essential objection to employing them for colonisation purposes. It was of necessity an anti-colonising company, and there could not be grosser folly than to commit the foundation and care of an infant settlement to a body who had interests directly at variance with the prosperity of the colony. What was the object which a fur-trading company had in view? Could it be their wish that the country in which they carried on their operations should be reclaimed and cultivated? On the contrary, it must be kept like a desert. They must, to be sure, cultivate a few spots in order to obtain corn for the support of their cattle and their agents—but as respected the country at large, their interest required that it should be kept just as nature had left it. What was the object of such a company as regarded the native inhabitants of the country? Was it desirable for them that the benevolent purposes of Christianity should be carried out with respect to the roving Indian tribes—that they should be weaned from their erratic habits, comfortably clothed, located in fixed habitations, and made tillers of the soil? On the contrary, it was their interest that the natives should be kept as closely as possible to the barbarous and savage state, because in that condition they were the best hunters. What was the class of men whom the Hudson's Bay Company employed for the transaction of their affairs? What were the habits of mind in which they were trained? They had been educated under an absolute and unmitigated despotism. The noble Lord at the head of the Government laughed at that. The noble Lord seemed to think that a trifling matter. But he thought it was one of serious moment, and the noble Lord ought to regard it in the same light. Surely it was no laughing matter that despotic power should have been exercised for centuries by a company which dared not let the question of their title go into a court of law. When the servants of the Company were to be employed as the agents of colonisation, it was important to know the manner in which they had been trained. Now, it was notorious that they had been subjected to a state of thraldom as nearly approaching slavery as it was possible to make Englishmen submit to. They were even subjected to corporal punishment. It was the practice of the Company to get young men from the Orkneys, and pay them at the rate of 17*l.* per annum. The Under Secretary for the Colonies had referred to what he called the impartial evidence of Captain Wilkes, the leader of an exploring expedition. Well, the House should hear the evidence of that gentleman as to the fitness of the agents of the Hudson's Bay Company to form a body of free settlers in Vancouver's Island. Captain Wilkes states, that these agents received 17*l.* a year wages, out of which they have to buy clothing at 80 per cent advance on English prices, together with a considerable portion of their food; and at page 329, vol. iv., of his work, the captain says—

> "They are engaged for five years, and after their time has expired the Company are obliged to send them back to England or Canada, if they desire it. Generally, however, when their time expires, they find themselves in debt, and are obliged to serve an extra time to pay it; and not unfrequently, at the expiration of their engagement, they have become attached or married to some Indian woman, or half-breed, and have children, on which account they find themselves unable to leave, and continue attached to the Company's service, and in all respects under the same engagements as before. If they desire to remain and cultivate land, they are assigned a certain portion, but are still dependent on the Company for many of the necessaries of life, clothing, &c. This causes them to become a sort of vassals, and compels them to execute the will of the Company. This is favourable to order and steadiness."

That was the evidence of the witness whom the Under Secretary for the Colonies had called in support of his case. It might be supposed that he was unreasonable in saying that a fur-trading company could not be a colonising company; but upon that point he would quote a passage from the memorial of the Hudson Bay proprietors against the Red River settlement. The memorial said—

> "Because, in the event of a settlement of the said territory under the control of any other power than that of the Company, private traffic would be carried on between the settlers and the Indians, and clandestinely with traders from the United States and the Canadas, which no ordinance of the Company would prevent. Besides, it has been found that colonisation is at all times unfavourable to the fur trade."

That memorial was signed by William Thwaits, Robert Whitehead, John Inglis, John Fish, Alexander Mackenzie, and Edward Ellice. A fundamental error pervaded the speech of the Under Secretary for the Colonies. The hon. Gentleman seemed to think that those who objected to the Government proposition did so because they begrudged the enormous profits which it was supposed the Hudson's Bay Company would derive from it, and he accordingly applied himself to show that they could not release such great profits. The point was granted at once. The Company would make the colonisation of Vancouver's Island subservient to their main object, the pursuit of the fur trade—the minor interest would be sacrificed to the major. The Company must be, as it had been, anti-colonising. From the first the Company exhibited none of the fair commercial spirit of Englishmen. Reference had been made to the discoveries which the Hudson's Bay Company had been instrumental in making. It is true that, in 1837, they sent out Mr. Simpson, who had been called the discoverer of the North West Passage; but, mark the date. The Company had at that time the exclusive trade, and it was not altogether inexpedient that they should be able to attend to that expedition; but he did not think that they had very generously redeemed the pledge they had given on receiving the charter in the reign of

Charles II. Why was that charter given to them? Mainly for the discovery of the North Western Passage. But they had made few efforts for that purpose. He thought they sent out a certain Captain Barlow and a Captain Knight to explore the north of the Bay; and they did so, because the parties threatened that if it were not done they would fit out vessels in England and send them out on their own account. But the discovery of that passage was made the subject of private subscription in the middle of the last century. In 1746 and 1747, two ships, the *Dog* and the *California*, were fitted out at the expense of private persons in this country to discover the passage; and it was a matter of great complaint then that, although the Hudson's Bay Company were pledged to it, they had not made efforts to discover whether it were practicable or not. But their endeavour had been to repress the spirit of discovery and prevent the development of the resources of the country. They had heard of the Hudson's Bay Company as a fur-trading company, and the Company would have it appear that there was nothing but fur in that part of America; but Messrs. Robson and Umfreville had written that Hudson's Bay afforded most valuable whale fisheries if the Company would work them. They did not, nor would they allow others to work them. If the House referred to the writings of those who had visited that country, they would see that there were great mineral resources on the whole on what was called the East Main, and the west coast of America. What had the Company done to develop those resources? They were also told that to the south of the Bay there was abundant opportunity for agricultural settlements. The Company had done nothing for that. For nearly 130 years they had slept on the shores of that great gulf, whilst Frenchmen were exploring the whole of North America beyond them, and had much the larger share of the fur trade with the Indians. Such was the commercial spirit of the Hudson's Bay Company. But he granted there had been a very considerable improvement since the junction with the North Western Company. Almost all knowledge of the interior of North America had been gained and all communications established by that company, and therefore there had been more energy in their proceedings since their partnership with that company and the able persons connected with it, including the right hon. Member for Coventry; but they had acquired no colonising energy. Their interest was against it. It might be said there were two exceptions — the Puget Sound Association, and the Red River Settlement. As to the first he had no authorised means of knowledge, and had not such full information of the state of the settlement, the number of settlers, and quantity of property there, as he could wish. [Mr. HAWES: Very large.] Did the hon. Gentleman suppose that the whole population consisted of 1,000 Europeans? He considered that a very sanguine estimate. But there was a cause for the growth of the Puget Sound establishment. It did not arise out of the general spirit of the Company. It was on the extremity of their territory, and in the next place it was necessary to have a certain quantity of agricultural produce to feed the traders; but, besides that, he believed that the Puget Sound Association was formed in consequence of an arrangement between the Hudson's Bay Company and a Russian settlement. That settlement, being in a climate in which they could find no means of disposing of their produce, made an arrangement with the Hudson's Bay Company to feed them, taking, he imagined, their furs and other Arctic produce in exchange. Puget Sound Association, therefore, was no exception to the rule. Now as to the Red River settlement. Who founded it? Not the Hudson's Bay Company. When the Company were brought into vigorous competition with the North Western Company, and were able for years to make no dividend, Lord Selkirk brought a large portion of the stock of the Company at a depreciated rate, to the amount of nearly 40,000*l.* out of 100,000*l.*, and in that manner got a commanding and overpowering interest in the Company. He then made the Company sell him 116,000 square miles of what they considered their territory in North America, with all the powers they could grant; and then he founded the Red River settlement. But what said the Company? Did they favour that colony? No; on the contrary, all the independent members of the Company protested against it. Did the North Western Company favour that colony? He would not refer to the melancholy and tragical scenes that took place when a large portion of the settlers of that colony were cut off in bloody conflict with the Company; but, seeing that the attempt to colonise the Red River was in its origin opposed to the fur trade—they did not deny that—but, after ascertaining the real object which the plans of Lord Selkirk were intended to cover, they did all in their power to render those schemes abortive. Every one who represented the spirit of those Companies, now combined into one, acted on the same principle. And did not the fur-trade interest subside in Vancouver's Island; and yet the Government were determined to give the colonisation of that island to a fur-trading company? What were the terms upon which that Company held their territory? Had they ever sent out a single independent emigrant? Was there anything but a population of their own retired servants, who were so much in debt that they were obliged to remain there in a state of servitude, and could hardly escape from it? He was afraid there was no such thing as a free colonist under the Hudson's Bay Company, and he could show the reason of it. He held in his hand the deed by which, up to the present moment, the settlers of the Company held their land. They paid for the land 12*s.* 6*d.* an acre, the land being let to them on a lease for 1,000 years at a peppercorn rent. But upon what conditions? Upon pain of forfeiture of their land if they should not submit to all and every the exclusive trading privileges of the Company—to all the rules and regulations they should make, and to such taxation as the Company imposed. He did not hesitate to say that they surrendered virtually every right and liberty of Englishmen as the condition of holding land under the Company. Was that right or was it wrong? Was it right upon anything less than the clearest declaration of law that such powers should be exercised? Could a tax be levied except upon the clearest evidence of the intention of the highest authority? Was there such evidence here? The charter of Charles II. made no reference whatever to taxation. But the Company received from their settlers the surrender of their constitutional liberties as the price of the land, having already paid for it sufficiently in money. He trusted that some information would be given upon that point, or they might be asked whether in that part of Her Majesty's dominions they had not slidden back from liberty into those illegal exactions which some years ago had raised so fatal a resistance to the Royal authority of this empire. Need he point to any evidence to show the spirit and intention with which the Hudson's Bay Company were going to enter into this proposed colonisation—it was to be found in the papers which were laid on the table of the House last week. The Company entered upon it with what was vulgarly called a wry face. They did not ask the Government for Vancouver's Island to colonise it. They went to Earl Grey and said they had establishments upon the southern side of the island, which they were annually increasing, and they were anxious to know whether they could be confirmed in the possession of those lands which they wished to add to those they already possessed. That was a moderate request; but Earl Grey suggested it was right that Vancouver's Island should be colonised. Thus thought the Company—he presumed to read their thoughts, for he believed they were sufficiently shown by their proceedings — "Colonisation is undoubtedly a great evil; but if it is to be, it will be better in our hands than in the hands of anybody else, so we shall be able to keep it down to the minimum." What did they do? Suddenly, from asking nothing but to be confirmed in the lands already in their possession, they asked for the whole of the Queen's dominions to the west of the Rocky Mountains. Did they want to colonise the whole at once? No! Why then did they ask for such an extent of territory? To keep out others. That was the purpose of the Hudson's Bay Company. To continue the present system, to make a dividend as in the good old times, to lead an easy and a quiet life—that was their object; and he would show that out of the mouth of Sir John Pelly himself, and that it was not from any sympathy on his part for systematic colonisation. Why, systematic colonisation would become a by-word and a farce in this country if colonisation were to be conducted by such instruments as those which, in the present unhappy instance, had been selected. On the 4th of March, 1848, Sir J. Pelly, in a letter to Earl Grey, said—

> "All that the Hudson's Bay Company required would be the very limited grant of lands which I had in view in my letter to your Lordship of the 7th of September, 1846;"—

and, after referring to some conversation which he had with Earl Grey, he said—

> "When I understood that you were desirous that a part or the whole of the country recently confirmed to Great Britain, should be colonised, I was induced to propose that the whole should be included in a grant to the Hudson's Bay Company; because I was persuaded that the colonisation would be much more successfully conducted under the auspices of the Company than it could

> be in any other manner, as I foresaw serious difficulties, should different parts of the territory be colonised under different authorities."

And now he could not help observing on the warm imagination with which the Company always contemplated the beauty of monopoly. They always saw great difficulty in colonisation, but absolutism in no other hands than their own was perfect. They saw great danger in free trade; it caused drunkenness; but monopoly secured sobriety—competition and intoxication were in direct alliance. However, when the able and astute negotiator for the Company saw that colonisation was in the wind, he made up his mind with a rapidity that was beyond all praise, and said — "Then give us the whole of the dominions beyond the Rocky Mountains for that purpose." The hon. Gentleman referred to what he thought was a superabundant ground for, he would not say refusing, but postponing this grant to the Hudson's Bay Company—he meant the charges against the Company. He touched that part of the subject with reluctance, because he was not in possession of all the results of the inquiry into the case; but the results, as far as he was possessed of them, he was sorry to say, produced a very different effect upon his mind from that of the hon. Gentleman. He had no suspicion of Earl Grey, or of the hon. Gentleman, on this question. About nine months ago, the person who brought these charges to England, applied to him (Mr. Gladstone), and he said—

> "If you will place them in the hands of Lord Grey, I am persuaded he will submit them to a thorough and sifting investigation."

He could not say he was satisfied with the investigation that had taken place, or with the appointment of the Governor of the Red River, although an officer in the British service, to make a report on the validity or invalidity of those serious charges against the Company. He did not think that that gentleman should have been placed in such a position—to send him there as a servant of the Hudson's Bay Company, and at the same time to say to him, "You are to investigate all these difficult charges"—difficult on account of there being so little communication—"and make a report on the merits or demerits of your employers." He believed that the hon. Gentleman had mis-stated the case. The hon. Gentleman said that Mr. Isbister was the complainant. Now, he held in his hand a printed copy of a memorial signed by five persons, who had come home as the representatives of others at the Red River settlement; and who were they? The hon. Gentleman said, that that settlement contained a population of 5,000 persons. He understood that out of that number there were 571 Indian and half-breed families; and that the complainants were almost exclusively Indians and half-breeds, out of whom 1,000 persons had signed the petition of which Mr. Isbister was the organ; and their allegation was, that in that 1,000 persons were included a large portion of Christian Indians, who had been converted by the missionaries in that country. To say, then, that the petition was the complaint of Mr. Isbister was a statement as wide of the fact as could be conceived. If the statement was false that those persons had sent the petition, then the hon. Gentleman was right; but the representation made to him was to the contrary. But he would not confine himself exclusively to what these complainants said, but would point out a number of those charges against the Company which he met with in different works and publications. Perhaps the hon. Gentleman did not think it important that the Company inflicted capital punishment without authority. Had that been investigated—was it worth investigation—was it important that the Company should suddenly chop off a man's head or not? [Mr. HAWES: Is it true?] The statement made to him was, that in 1845 capital punishment had been inflicted by the Company upon an Indian. Had that been investigated? [Mr. HAWES: It will be.] Then was not that a reason why this matter should be postponed? Was it right or decent to give this colonising operation to an anti-colonising company which exercised absolute powers, which was exempted from the Act of Parliament which did give certain judicial powers, without investigating the truth of that sharge? [Mr. HAWES: It might be under the Act of Parliament.] But if the hon. Gentleman referred to the Act of Parliament, he would find that the marginal note of the 12th section was this:—

> "The power of the Court not to extend to capital offences, nor to civil actions where the amount in issue exceeds 200*l*."

He had shown that it was alleged that capital punishment was inflicted, and the hon. Gentleman said the charge was now in the hands of the Government, and therefore there was no flinching from investigation; but the investigation was not yet made, and yet the Company were to be the objects of this extraordinary grant. The charge of capital punishment without trial was upon the statement of Mr. Simpson. He said—

> "Kindness and conciliation in the intercourse of its officers and servants with Indians of every tribe; an absence of interference in the quarrels of individuals, in the internal disputes of tribes, and in the wars which they may wage with one another; and an invariable rule of avenging the murder by Indians of any of its servants, blood for blood, without trial of any kind—are the three and only principles followed out by the Hudson's Bay Company in its transactions with the numerous inhabitants of the extensive territory under its control; and its sole aim is to derive the greatest possible revenue from that territory."

That was a subject of the most serious responsibility. It violated the real equality of right that ought to prevail between man and man, if a company through their agents were able without investigation to put a period to the life of a brother; and that was stated, not in a paragraph inculpatory of the Company, but in a paragraph intended to be laudatory of it. And what were they to say if to those powers was added that of taxation without authority? A company of angels and archangels alone was the only company that could be entrusted with such enormous powers, without risk. Then the wages of the servants of the Company were paid in notes of the Company—convertible not on the banks of the Red River, but in London sixty days after sight. It was also charged against the Company, that whilst they took great care of the fur-bearing animals, they were quite indifferent as to those upon which the roving Indians subsisted; and that there was, in consequence, such a scarcity of food, that cases of starvation were common, and that even sometimes the Indians were driven to cannibalism, not from habit, but from necessity. There might be countries of such hopeless poverty that that might come upon them; but were the wares of the Indians of such little value, that that was a necessary consequence? Was it not a monstrous hardship that we should go into that country, inhabited by a people who had the means of bringing to us commodities the most valuable in our markets, and say to them, "You shall deal with us, and with us alone. England is a country of capital and enterprise, but if we allow competition to enter into the field, you will get the true value of your furs;" and, then, taking advantage of the difference between the market of the Indian and our markets here, should suffer them to starve? Mr. Robson, in his work published about 1750, said that the Company received 2,000 per cent on the beaver skins they purchased from the Indians, and that the consequence was that very few furs were brought to the Company, and the Indians carried them to the Frenchmen in Canada. Umfreville, in 1790, said that a gallon of spirits, which in London cost 20*d.*, purchased furs which fetched here 6*l.* or 8*l.*; that a fourpenny comb bought a beaver worth 2*l.*; a gun that cost 22*s.*, twenty beaver skins worth 32*l.* 10*s.*; and other trifling articles in the same proportion. Was it fair, then, to the Indians, whom nature and Providence had placed in possession of those wild districts, and who brought us the fruits and products of them, that they should be compelled to deal with one customer without receiving some compensation for it? Ought they not to have some security against the danger of starvation, or being driven to cannibalism? It was a subject for Parliamentary investigation whether the fur trade required a monopoly; and, he did not now scruple to say, whether the extraordinary powers of the Hudson's Bay Company ought to be left in their hands. He would now refer to the subject of ardent spirits. The Hudson's Bay Company dwelt very much on their efforts to diminish the use of ardent spirits among the occupants of their territory; and they seemed to have impressed Lord Elgin with the opinion that they had greatly exerted themselves to do so. He was very much disposed to pay great respect to Lord Elgin's opinion, but it seemed to have been formed at second hand; and Members of that House had perhaps better opportunities of obtaining information on this question than Lord Elgin possessed. The statement made by Mr. Isbister was, that in 1837 the quantity of ardent spirits introduced into the territories of the Company was 3,800 gallons, while in 1845 the quantity was 9,000 gallons. If it were true that this increase had taken place within the last few years, he must say that this was a most ugly fact as regarded the dealings of the Hudson's Bay Company, particularly when it was borne in mind that the year 1837 was the year before the renewal of their license was asked for and obtained. He should like to have that fact inquired into. He should like also to know what kind of settlers the

Company were likely to send to Vancouver's Island. It was the men who made the colony. What was it that planted the colonies of New England, but the pith and stuff of which their founders were made? If men were sent out there with the feelings and habits of Englishmen—men who were accustomed to act in the light of day—it might be expected that something like a colony would be founded. But what was the system adopted by the Hudson's Bay Company? He had told the House how the memorialists had stated their grievances. He had told them also that five out of the six had actually signed the memorial, the sixth, Mr. Sinclair, having gone back to America. He must now inform the House that the Company had established in their territory a system of remitting the duties on the articles imported. The occupants of the territory were allowed to import so many pounds worth of British manufactures in the course of the year, and the duty leviable upon them at York Castle was remitted. This was placing in the hands of the Company a power over the action of the settlers which, he must say, was most odious to the ears of Englishmen. The remission or enforcement of these duties was made the means of exercising an influence over the settlers, and of piecing up the holes in a questionable charter. Mr. Sinclair took a part in bringing forward the charges which had been made against the Company. Of course, the Hudson's Bay Company could see nothing but what was outrageous and disreputable in these complaints, and regarded those from whom they proceeded as the scum of the earth. The consequence was, that Mr. Sinclair received the following letter:—

> "Fort Garry, Red River Settlement,
> August 25, 1845.
>
> "Mr. JAMES SINCLAIR,
>
> "Sir—I beg to state, that in a private letter from Mr. Secretary Smith, dated the 18th of April last, and received on the 25th inst., I am requested to acquaint you that no goods will be shipped in your name on board the Hudson Bay Company's ship for York factory this season.—I remain, Sir, your most obedient humble servant,
>
> "ALEXANDER CHRISTIE."

The House would understand what the effect of that would be, as the only ships allowed to go to the country were the ships belonging to the Company. He would not say that these matters were proved as facts, but they were allegations of a most serious kind, which ought at once to put an end to any intention on the part of Her Majesty's Government of intrusting these powers to the Hudson's Bay Company until these charges were inquired into, if the Company, instead of being the worst instruments, were the best instruments on the face of the earth for the promotion of colonisation. Another point which he could not pass over was the state of morals which prevailed in the territories of the Hudson's Bay Company; for which he would refer hon. Members to the testimony of Captain Wilkes, an American, who visited the country when engaged on a surveying expedition. He thought that no man could read that gentleman's statement without seeing that the system of the Hudson's Bay Company was most unfavourable to the growth of a healthy moral character. Another person to whose testimony he might refer on this point was Mr. Thomas Simpson, a servant of the Company, whose observations on the general morality of the country under the sway of the Company would be found at page 81 of his *Life*. It was said, however, that the Company had made great efforts to spread the growth of Christianity, and improve the morality of the people committed to their charge; and that Lord Elgin had been induced to believe that this was the case. The Company was founded in 1607, and for a short time afterwards efforts were really made to inculcate the principles of Christianity in dealings with the natives. But this Company had now become an enormously extended establishment, and he thought that they had been extremely neglectful of their duties with regard to the religious care of their own officers, and with regard to the religious instruction of those with whom they came in contact. He would just read a short passage from a letter written in 1815 by Governor Semple, who was shortly afterwards slain in a conflict with the North Western Company:—

> "I have trodden the burnt ruins of houses, barns, a mill, a fort, and sharpened stockades, but none of a place of worship even upon the smallest scale. I blush to say, that over the whole extent of the Hudson's Bay territories, no such building exists. It is surely high time that this foul reproach should be done away from among men belonging to a Christian nation."

Now, considering that the Company had divided 70 per cent on a capital augmented nine times, surely it was too much to claim a great deal of credit for them, on account of what they had done in extending religious knowledge up to 1815. But the hon. Gentleman stood on what had been done since 1815; and he said that there were now nine places of worship in their territory, and four schools. The House, however, should be informed that the voluntary societies established and supported by the people of this country for the diffusion of religious knowledge, had found their way into the Hudson's Bay Company's territories, and that a missionary who had been sent out by the Church Missionary Society was dignified at the settlement of the Red River with the name of the "Company's Chaplain." He did not doubt that the Company made him some allowance; but the House would find that this missionary was rated on the books of the Church Missionary Society. He did not mean to say that the Company had done nothing for the diffusion of religious information; but the bulk of what had been done was done by the public of this country, and not by the Hudson's Bay Company. He would read the evidence furnished on this point by an extract from the Bishop of Montreal's journal, which was written in 1844. The bishop had just been visiting the Red River settlement, and was on the best terms with the Company and its officers, and the whole book was pervaded by a tone of gentleness and mildness. He said—

> "There is not one clergyman of the Church of England on the farther side of the Rocky Mountains. The Hudson's Bay Company did at one time maintain a chaplain at Fort Vancouver—they have ceased to do so. Within their own proper territories they have one, namely, at the Red River; so that in Hudson's Bay itself there is none."

Perhaps, however, the hon. Gentleman would say that there were ministers of other religious denominations established in the Company's territories. He could not do better, therefore, than quote to the House a private and confidential letter from Mr. Thomas Simpson, written in 1840, to his brother Alexander Simpson, which would be found at page 350 of his *Life*:—

> "Three Wesleyan missionaries have come in from Lac la Pluie and the Sashatchewan; and furs have fallen from 15 to 20 per cent. Ominous signs these—saying plainly, 'make hay while the sun shines.'"

He held in his hand also an extract of a letter from a Roman Catholic clergyman; and when he had read that, he thought he should have pretty well gone round the compass. The letter was written by Mr. Belcourt Picton, a Roman Catholic missionary, and was dated the 22nd of March, 1848, from the archbishop's palace at Quebec. In his postcript, he said—

> "About the opposition of the Company to the Christianising of the Indians, I can give, after seventeen years of missions amongst them, a number of characteristic instances of this truth. Intoxicating liquors given in abundance, rewards to those who would not listen to the missionaries' invitations, refusal to build a chapel amongst them, menaces of burning it after its erection, &c.—are all things that I can bear witness to."

Now, he understood that this gentleman was a man of respectable character, and he had no reason to suppose that there was any exaggeration in his statements. He was far from saying that all these charges were true; but he had shown the House that they were not destitute of all probability. Another point to which he wished to advert was the settlement of the Indians. In 1821, the terms of the Company's license bound them to adopt measures for diminishing and ultimately preventing the sale of intoxicating liquors, and for promoting their moral and religious improvement. It was not, however, till 1832 that a piece of ground was selected in order to try an experiment of what might be done for the civilisation of the Indians; and this attempt was made by Mr. Cochrane, who was sent out by the Church Missionary Society. The Wesleyans also made a similar effort; and this was the only agency which had been employed for that purpose; and the Hudson's Bay Company had only contributed a portion of the funds which had been expended in carrying out the object. He thought he had shown that the Hudson's Bay Company was the worst instrument that could be selected for colonising purposes; and to talk of the waste of time, because, in the desperate circumstances in which the country had been recently placed, there had not been a rush to the colonies, was really playing with the subject. The Colonial Office had not done so much as they might in this matter; and had it been made known to the London public that, under certain terms, a company might be formed, there would have been no want of merchants and capitalists to embark in the enterprise; at all events, till that had been done, it should not be said that every effort had been made. The hon. Gentleman said he would have regarded such an enterprise with good will. But who knew it? And when the hon. Gentleman spoke of the enormous difficulty of access to Vancouver's Island, let it be remembered that the Americans were about to establish steam communication between Panama and the Columbia River. They would want coal for that purpose, and there was plenty of coal in Vancouver's Island. But did the hon. Gentleman believe that nobody but the Hudson's Bay Company could dig coal there? Was the operation of opening a coal pit so gigantic an undertaking as to require the combined efforts of a vast community? On the contrary, it required a very moderate capital. Better postpone colonisation, if that were necessary, than shut out, at this early day, so important a field from the generations of succeeding centuries. He did not believe that any one of the Gentlemen who had held the office of Colonial Secretary for the last twenty years, would have been bold enough to take this step, with the exception of the noble Lord now at the head of that department. The Hudson's Bay Company were distinctly informed, both in 1821 and 1838, that it was quite necessary that a provision should be introduced into their license to trade, to the effect that if a colony should be founded at any time within their territory, the privileges of the Hudson's Bay Company should at once cease to operate within the boundaries of that colony. He must also object to the grant on another ground. On no account ought it to have been made; but, if made at all, it ought to have been made in a different manner. It was true that Lord Grey provided for what he called a free government; but *quid leges sine moribus?* What did the letter of a constitution avail among men who were not trained to make use of it? If men were sent to hold land, not according to the provisions of public law in England, but according to the views of the Hudson's Bay Company, what was the use of this paper constitution? Did the Hudson's Bay Company regard a free government as necessary? On the contrary, Sir J. Pelly expressed his opinion that they had no need of legislation. He knew that with an honest intention Earl Grey reserved this power; but he contended that a free government was useless, unless the materials were supplied with which a free government was to be worked. What had become of Mr. Wakefield and his plan of selling land at a sufficient price, and importing emigrants with the produce of the sales? This plan was dispensed with in favour of the Hudson's Bay Company, and no other party. The people of New South Wales kicked against the regulation, but the collar and the yoke were pressed down upon them. The Hudson's Bay Company, also, were not obliged to account for a farthing of the money which they received. They knew very well with whom they had to deal, and, refusing to pay any royalty, and making no stipulation to carry out colonists, they only undertook that in five years' time there should be something that should be called a settlement. The hon. Gentleman said, that they had already a thriving and flourishing settlement there. But suppose they carried over some of the men from Puget's Sound, or the men at the Red River, would that be a colony worthy of England, or one such as the noble Lord, of all men, would desire to see established? Was that the mode in which these most important affairs were to be administered? A rumour had reached him that a very considerable number of people at the Red River had determined to move over to the American border, and that in order to escape from the sway of the Hudson's Bay Company, they were ready to surrender the privilege of being subjects of the British Crown. What was the British Crown to them? They knew nothing of judicial security, nothing of rights of property, except within the limit of the regulations imposed by the Hudson's Bay Company. Was it not the duty of the House to see that this state of things was amended? Was it not their duty to go to the bottom of these matters, and to inquire into the whole system which prevailed in the territories of the Hudson's Bay Company, which, without meaning any reproach to the persons who composed the Company, he maintained was of so arbitrary a character as to require restriction and modification? This was a great subject; the gift of the island was a small beginning; and it was the business of statesmen to watch beginnings, and provide for the future while it was yet remote. There was now in Vancouver's Island a magnificent field for colonisation. As Wordsworth, our greatest modern poet, said, "The boy is father to the man;" and in the same manner these settlements, from the form they took in the very first days of infancy, became the fathers either of great nations, in which the healthy constitution of the patient was developed, or of sickly, stunted, puny communities, which were likely to grow beneath the poisoned shade of a monopolising company. He regretted that the form in which the Motion was made, rendered it impossible to come to a vote upon it. After all, Lord Grey had done the Company only a left-handed kindness. He believed that the Hudson's Bay Company had overshot the mark. When Sir John Pelly was driven to play the bold game which he attempted to win, and even the limited game of taking the whole of Vancouver's Island, he took a step which he (Mr. Gladstone) believed would draw and fasten the attention of Parliament on the whole of that important district which was connected with the territory of the Company. Let there be a general expression of opinion on the part of the House in favour of free colonisation, and then let a reasonable time elapse before they were told to despair of colonising Vancouver's Island. Above all, let not the Hudson's Bay Company be expected to rear that to the very life and substance of which it was opposed, and let not the House forget that there was now a great and worthy opportunity of planting a society of Englishmen, which if it did not afford a precise copy of our institutions, might still present a reflex of that truth, integrity, and independence, which constituted at this moment the ornament and glory of this country.

Mr. C. BULLER, after having heard the speech of the right hon. Gentleman, could not help asking the House, however proper it might be that this subject should be brought under their consideration, whether it were worth while to stop the Committee of Supply for the purpose of discussing the particular question introduced by the right hon. Gentleman? It appeared to him that another opportunity might have been taken for that purpose; and he objected to the period at which the discussion had taken place, as well as to the mode in which it had been brought forward, seeing that no opportunity was given of testing the sense of the House upon it. The right hon. Gentleman had very inadequately treated the question of Vancouver's Island; indeed, he might say he had almost put it out of sight, and that the greater part of his speech related to anything but to the case of that island. The great question with which the right hon. Gentleman started was one of which neither the House, the Government, nor the public, had received any notice. It did not relate to the propriety or impropriety of giving Vancouver's Island to the Hudson's Bay Company, but to the question of the general administration of the trust which had been confided to that Company by the country. Now, that question was one which ought to have been brought forward in a distinct and separate shape, seeing it involved the grave and important question whether the Hudson's Bay Company were entitled to exercise power, not in Vancouver's Island only, but at all. He confessed he was a little surprised that if the administration of the Hudson's Bay Company had been so unsuccessful as the right hon. Gentleman had described it; if for a period of 150 years it had done so little good, and had actively exerted itself only for evil; hanging without trial, taxing people without right, and robbing and fleecing them in every possible way; and when a charge was brought forward directly impugning the Government of this country for intrusting its territories to that Company, he was surprised that the right hon. Gentleman should have adopted the method he had done for bringing the matter under the notice of the House; and he must add that he thought it would only have been fair to give that Company an opportunity of defending itself. The charges were such that a Committee might well have been asked for and appointed to investigate their truth; for certainly nothing could be more unsatisfactory than that a statement implying great and grave charges against a public company, everywhere and at all times, should be brought forward without seeing in the vista either a proposal for the abrogation of the powers of the Company, or the appointment of a Committee. [Mr. Gladstone: It was a subject for inquiry.] If the right hon. Gentleman thought the conduct of the Company a fair subject for inquiry, why did he not bring before the House a proposal for entering upon that inquiry? The House must see that the administration of the Hudson's Bay Company was a question by far too large to enter upon on such an occasion as the present. But they could limit their inquiries to the one fact, whether there was anything in the constitution of the Company which rendered improper the specific grant made to the Company on the conditions on which alone that grant was made. The right hon. Gentleman had inveighed against the monopoly of trade possessed by the Company. He was himself, some years ago, at the head of the Board of Trade, and was afterwards in the Colonial Office; yet he never uttered one word then as to the monopoly of the Hudson's Bay Company, though he, and the Government with which he was connected, were dealing with almost every other monopoly that existed. This monopoly of the fur trade by the Hudson's Bay Company was as much opposed to free trade, of which the right hon. Gentleman and his Colleagues were the successful advocates, as the monopoly of sugar in the West Indies, or any other article to which they directed their attention; yet they never extended their views to this abominable monopoly of the fur trade when in power. He was no advocate for absolute government in our colonies. He had constantly taken that view; and as it was a long time since he had taken any part in debates on colonisation, he must beg the House to understand that not one single opinion which he had ever advanced on that question had been shaken by experience. He still believed a great and extensive system of colonisation to be a source of comfort and wellbeing to all classes of the people of this country, as well as a means of increasing the prosperity and extent of our empire; and he must reiterate now the opinion he had often expressed in former times, that he saw nothing in the circumstances of our empire that should prevent the Government from organising a wise system of colonisation; so that all the advantages which the United States of America derived from their annual colonisation of the far West, might be derived by us from our annual and constant colonisation of the vast and fertile colonies belonging to the Crown. He believed the right hon. Gentleman had underrated or misunderstood the particular circumstances of Vancouver's Island, and that the course taken with regard to that island was the wisest that could have been adopted. The right hon. Gentleman talked of absolute government and its abuses; but what had all this to do with the question? Was the Government about to give a monopoly of trade to the Hudson's Bay Company? Why, it had got it already. It had the exclusive right of trading all over that country, and had enjoyed that right for many years. Then as to the absolute government of the Company, and its chopping off heads without trial, and taxing without power; was it proposed to place any body of the English people under such absolute government? On the contrary, they were proceeding on the principle that all who settled in the island were to be under a perfectly free and representative government. But the right hon. Gentleman said the proposed arrangement would have the effect of destroying future empires and great States, and that it was disposing for ever of the fortunes of the colony. Now the arrangement was merely a limited disposal, upon certain conditions, of the lands of this colony to the Hudson's Bay Company for eleven years. [Mr. HUME: It is a grant in perpetuity.] He would show that it was a conditional grant for only eleven years. In the mean time, he would advert to the statement of the right hon. Gentleman that the colony was to be put under absolute government. [Mr. GLADSTONE: I did not say so.] The right hon. Gentleman said, these people were to be under a mockery of a Government foreign to their wants, feelings, and habits. He said, it was a farce giving representative institutions to these people, who, from their dependence on the Company, and from the character of their minds, and the state of their education, were unfit to maintain their rights. Now, he differed from that view. He thought that if they gave them representative institutions, they would make these servants of the Company its masters. His confidence in representative government would be entirely shaken if he did not think that the establishment of it in Vancouver's Island would be incompatible with the exercise of absolute government. The right hon. Gentleman next said the Company was an anti-colonising company. Now, the object of Government was to make colonisation one of the conditions of the grant. He admitted that the grant was stated in the charter to be given to the Company, their heirs, and their successors, "for ever;" but then this was clogged with a condition—

> "That this present grant is made to the intent that the said Governor and Company shall establish upon the said island a settlement or settlements of resident colonists, emigrants from our kingdom of Great Britain and Ireland, or from other our dominions, and shall dispose of the land there as may be necessary for the purpose of promoting settlements, and for the actual purposes of colonisation, and shall, once in every two years at the least, certify, under the seal of the said Governor and Company, to one of our principal Secretaries of State what colonists shall have been from time to time settled in the said colony, and what lands shall have been disposed of."

The charter, however, went on to say—

> "And we further declare, that this present grant is made upon this condition, that if the said Governor and Company shall not, within the term of five years from the date of these presents, have

> established upon the said island a settlement of resident colonists, emigrants from the united kingdom of Great Britain and Ireland, or from other our dominions, and it shall, at any time after the expiration of such term of five years, be certified to us, our heirs or successors, by any person who shall be appointed by us, our heirs or successors, to inquire into the condition of such island, that such settlement has not been established according to the intent of this our grant, it shall be lawful for us, our heirs and successors, to revoke this present grant, and to enter upon and resume the said island and premises hereby granted."

But were all these provisions insufficient? If so, there was another great provision that overrode them all. It was provided that—

> "And we hereby declare, that this present grant is, and shall be, deemed and taken to be made upon this further condition, that we, our heirs and successors, shall have, and we accordingly reserve unto us and them, full power, at the expiration of the said Governor and Company's grant or license of, or for the exclusive privilege of trading with the Indians, to repurchase and take of and from the said Governor and Company the said Vancouver's Island and premises hereby granted, in consideration of payment being made by us, our heirs or successors, to the said Governor and Company, of the sum or sums of money theretofore laid out and expended by them, in and upon the said island and premises."

[Mr. HUME: But we are also to take their establishments at a valuation.] No doubt it was provided that we were to pay them "the value of the establishments, property, and effects, then being" on the island. Any Government would be robbers, if they attempted to take the island without paying the value. So the government of this colony was to be carried on with a representative assembly; a settlement must have been made at the end of five years to the satisfaction of the Home Government; and at the end of eleven years the Crown was to have the right of re-entering on possession of the island upon payment of the money actually expended. One of two things must happen: either the Company would have expended nothing at all, in which case there would be nothing to pay, or they would have made perhaps valuable establishments, and there would then be no reason to interfere, because, as he ventured to say, the Company would be doing the work of colonisation much better than the Government could do it. The right hon. Gentleman had spoken of the Red River settlement as a great reproach to this country, and an impenetrable shade, he said, rested on all their proceedings. The great accusation appeared to be, that the Company had not established agricultural settlements. What an extraordinary accusation was that in the case of a colony which lay far to the north of Quebec, and where wheat could not be expected to ripen! The Company had not, it appeared, made agricultural settlements in the inaccessible regions bordering on Hudson's Bay. Was that really a charge which should be brought against them by sane men? In the very heart of North America the Company had planted a thriving settlement of 5,000 people, hundreds of miles beyond any other English or American settlement. He must say that that was a marvellous effort of colonisation, and it never would have been accomplished by the spontaneous energies of any people; it required the artificial action of a company like this to ensure success. He thought the great error into which hon. Gentlemen had fallen, was that of considering this island a noble field for colonisation. Strong advocate as he was for colonisation, he did not wish to see the settlement of a large body of Englishmen in Vancouver's Island. It was the last spot in Her Majesty's dominions to which the stream of colonisation was likely to be directed. This island was the very farthest from this country of all Her Majesty's possessions. There was no spot in the world, except the icy country of which Russia had possession, which it would take so much time or cost so much money to reach. A hundred years hence Vancouver's Island would form a considerable settlement; but the idea of its being an extensive field for emigration was quite inconsistent with its position. What could a great colony do there? Let a ship be freighted in imagination with persons who had a sufficient capital, and who consisted of the fittest classes, and let them take with them institutions which would make the colony a reflex of society in the mother country. The colonists would either have to go round by Cape Horn, or by the way of the Cape of Good Hope; and the expense would be about 50*l.*; and the voyage would last six months. Lord Grey had to consider the capabilities of the colony, and act accordingly. The Colonial Office had never heard of any proposition for colonisation on the part of individuals. It was on the part of Earl Grey only a matter of prudence to accept the condition with respect to the settlement for eleven years. Was any better offer heard of? His belief was, that until the Cape, New South Wales, and New Zealand, were comparatively fully settled, emigration would not tend towards Vancouver's Island. They had heard a great deal from the right hon. Gentleman respecting the coal mines in Vancouver's Island; and he cheered the right hon. Gentleman, when he said they could be worked at such a small expense. Was not the Company competent to work them? What was the trade of the Pacific at present, which they were told they would drive away? There was a prospect of trade in the Pacific, between the harbour in Vancouver's Island and Hong-Kong and other settlements; but were we on this account to abandon the natural fields of colonisation so as to force it to this island? Were they, because they might have some trade between Vancouver's Island and Hong-Kong, to resort to such an extraordinary course? He believed that the right hon. Gentleman had given a correct description of the climate of Vancouver's Island. He believed that colony possessed one of the finest climates in the world. He was bound to add, that in the island there was very little land available for cultivation; the quantity of timber also which was readily accessible was not large. He asked, therefore, whether it would be wise at present to adopt a general colonisation to this place? He did not say that this might not be done at some future time; but that must be when our possessions which occupied the intervening space between the mother country and this island were filled. They must make up their minds that Vancouver's Island would remain with comparatively few inhabitants for the next fifty years; and when the tide of population flowed over the Rocky Mountains, and when California was occupied, then Vancouver's Island might be turned to advantage. When they talked of the colonial empire of England, and of its being made so little available as a field for colonisation, he was bound to say that he wished he could see the adoption of some great scheme of colonisation. He wished he could see the resources of these possessions turned to account. The tide of emigration had largely turned to the British colonies in North America, and he did not despair of seeing an extensive emigration to the Cape, which contained one of the finest climates in the world. That colony contained land capable of cultivation, which would require double the population of England to occupy it. He wished, also, that he could see New Holland, with its vast sea-coast and its numerous harbours, turned to account; he wished to see New Zealand with fifty for every settler such as now existed there; then it might be said to be turned to account. Under such circumstances, how could they make Vancouver's Island available? It would be 40 or 50, or 100 years before they could expect to do so. At the end, however, of eleven years, Vancouver's Island, in the words of the charter, was to be taken from the Hudson's Bay Company—

> "On consideration of payments being made by us, our heirs, and successors, to the said Government and Company, of the sum or sums of money theretofore laid out and expended by them in and upon the said island and premises, and of the value of their establishments, property, and effects then being thereon."

Mr. HUME said, when all the other colonies were filled, then they might expect to colonise Vancouver's Island. This was most unreasonable. His hon. Friend had also complained of the time at which the Motion had been brought forward; but the noble Earl (the Earl of Lincoln) had given notice on the subject, which was placed on the books five weeks ago, and the Government alone had prevented him from bringing it forward. Was it fair then to complain that the matter had not been brought forward at the proper time? He was bound also to state that he had intended six months ago to have brought forward the subject. Other matters turned his attention from the subject. The hon. Gentleman opposite (Mr. Christy) had written to the Secretary of State for the Colonies, and got from him an answer in writing, which he felt bound to read to the House. It was dated Downing-street, April the 11th, and stated—

> "Sir—In reply to your note of the 4th instant, in which you request to be informed as to whether the Government have not come to a decision as to the requisition of the Hudson's Bay Company, and whether it was intended to give Parliament an opportunity before any fresh proceedings were taken to express its opinion on the subject, I beg to say that you understood correctly that Government had not come to any decision as to the differences existing between the settlers on the Red River and the Company; and, also, before any fresh decision is come to, Lord Grey will give ample notice to the parties."

This had reference to the settlement of Vancouver's Island. [Mr. Hawes: The note had nothing at all to do with the colony.] It had reference to the conduct of the Hudson's Bay Company. It came to the knowledge of some gentlemen in the City that something was about to be done in the shape of a grant of this island to the Hudson's Bay Company, and some suspected that the grant had been already signed. They came to him and requested him to bring the matter before Parliament. He replied that he was surprised to hear them state that such a negotiation had been carried on, which he could hardly believe, for he was sure no Secretary of State, after the letter which he had written, would do anything until the whole matter was laid before Parliament. After this promise of the Colonial Secretary, it was not the fault of the noble Lord, or the right hon. Gentleman, or himself, that this matter had been postponed. He complained that in this as well as in other instances, the Colonial Minister had taken upon himself the exercise of powers before Parliament knew anything about it. His hon. Friend who spoke last said there was a mistake as to the character of this island. Surely his hon. Friend must have forgotten the document which he held in his hand, as to the state of that island. This paper was not drawn up by a stranger, but by an officer of the Hudson's Bay Company. Mr. Douglas, their agent says:—[The hon. Member quoted the paper and a letter from Sir G. Simpson, describing the island as fertile, and the harbour as good.] By our absurd laws (he continued) we had lost the whale fisheries in the Pacific; but with these ports it might still be carried on to a great extent. Sir G. Simpson says—

> "Three American whaling ships entered the Straits of Fuca last autumn, for the purposes of obtaining supplies; and I think it likely an advantageous branch of business may be formed at Victoria, by supplying the ships engaged in the whale fishery with clothing, marine stores, refreshments, &c., being much nearer the fishing grounds than either California or the Sandwich Islands, the dangerous bar of the Columbia river interdicting frequent intercourse with that quarter."

Here, then, it was clear, that they were handing over to this monopolising Company this rich territory, which might be made such a valuable settlement. It was impossible for colonisation to be extended under a company having such powers. It was notorious that British capitalists were anxious to find fields for the employment of their capital. What ample scope existed here? He did not look so much to the soil, as to the extensive commerce which might be carried on. He believed the real object of the Company was to keep out all settlers, as they feared the extension of colonisation would interfere with and impede their fur trade. The right hon. Gentleman had made out a complete case against the Government; and even now the House should interfere to prevent this plan being carried out. It was clear that a considerable portion of the trade to the Pacific might be secured to this island, as a bar existed at the mouth of the Columbia, which materially impeded the navigation of that river, and almost altogether prevented the passage of large ships. Was the House aware that the voyage from Vancouver's Island to the coast of China occupied only eighteen days? Such were the natural advantages of this island, that he was sure, if it was left open to settlers, many capitalists would go out there and take with them a number of emigrants. The coal fields of this island extended over sixty square miles, and coals could be raised at 2*s.* 6*d.* the ton. It was clear from the words of Sir John Pelly, in one of his letters, that the Company only accepted the present grant as a step to a permanent grant. As for the promises of the Company to carry out so many settlers every year, he did not believe that anything of the kind would take place. They had been told that this colony might have a free government at last; but how this could be effected when there was no power of obtaining land, he could not see. If the charge had been still at 10*s.* an acre, he should not object; but under this charter they could not compel the Company to sell an acre of land in the island for 50*l.* an acre, or even at 150*l.* He should certainly take the sense of the House on the question by proposing the following resolution:—

> "That an humble Address be presented to Her Majesty, that She will be pleased not to grant, as is proposed, to the Hudson's Bay Company, Vancouver's Island, until full inquiry shall be instituted into the complaints against that Company from the Settlers at the Red River, and also until the capabilities and peculiar situation of the Island shall be fully ascertained;"—

unless the Government promised to give an assurance to stop all proceedings until they had received the report from the Earl of Elgin, as to the treatment of the inhabitants of the colony.

Mr. P. HOWARD seconded the Amendment. He believed that it would be most unwise to confer the proposed extensive powers on a fur-trading Company, whose object was manifestly not the promotion of colonisation, but the furtherance of their own interests. California had lately been ceded to the United States; and it appeared to him a matter of the highest national importance that we should establish a flourishing colony on the western coast of America, in order to balance the increased maritime strength of those States.

Mr. WYLD complained that in the remarks of the hon. and right hon. Gentlemen (Mr. Hawes and Mr. Buller) who had defended this grant, they had been contented to argue this question not on its own intrinsic merits, but on the principle of depreciating Vancouver's Island. They ought not to deal with this matter simply as a grant to a certain company, but as one which vitally concerned the safety of our vast colonies. Vancouver's Island was a central position in the Pacific Ocean. It was calculated to form a grand and important emporium. It must one day become the mistress of those seas. It possessed harbours which no other portion of the coast possessed. In the time of Mr. Pitt it was considered to be of vast importance —it must command the whole of the trade with China. The question had not been discussed in an agricultural point of view. The right hon. Member for Liskeard seemed to think that in that respect the island was utterly worthless. [Mr. Buller: No, no!] Both the right hon. Gentleman and the Under Secretary for the Colonies had spoken very disparagingly of it. [Mr. Hawes: No. no!] The truth was that, as the hon. Member for Montrose said, it possessed great agricultural resources; but the Hudson's Bay Company had withheld all information respecting it .But this country must look upon it as the great commercial *entrepôt* which would combine with its facilities of trading with China the place of exchange of productions of all the colonies in the Pacific Ocean, and thus form a counterbalance to the power of the North American nations, who had manifested great anxiety to obtain a footing upon the shores of this island. With respect to shipping, the Hudson's Bay Company were perfectly stationary, and the result was, that the English had to be supplied with goods surreptitiously by the Americans across the frontier. With reference to the objection to the time of the Session at which this subject had been brought forward, he begged the House to bear in mind that the subject was of such vast importance to this country and to our colonies that it was impossible to postpone it any longer.

Lord J. RUSSELL: This question appears to me to have been brought forward in rather a singular manner. The notice which the hon. Member has given is to call the attention of the House to the proposed grant of Vancouver's Island to the Hudson's Bay Company. It is always understood that the object of that notice is to state the circumstances, and not to propose any specific Motion on the subject. The hon. Gentleman took that course, as he had given notice. The right hon. Gentleman followed, and though he entered at great length and with great ability into the merits of the question, he did not think fit to bring forward or support any specific Motion on the subject. Then the hon. Gentleman the Member for Montrose rises and proposes that the House shall agree to an address to the Crown that no grant shall be made till full inquiry has taken place into the charges which have been brought against the Hudson's Bay Company. I believe the consequence of postponing to the year after the next any proceeding on this subject, as between the Hudson's Bay Company and the mother country, would be, that the Americans would settle Vancouver's Island, and that you would find them established there. That, I believe, would be the sole and entire effect of the hon. Gentleman's success. I admit that it would be very desirable if, as some hon. Gentlemen seem to suppose, there should be a company who would undertake the colonising of Vancouver's Island immediately, if they had means to do it. But, as my hon. Friend (Mr. Hawes) has stated, though several propositions have been made by parties expressing readiness to colonise it, the only one affording any prospect of colonisation is that which has been made by the Hudson's Bay Company. The right hon. Gentleman opposite has made two objections to the Hudson's Bay Company having any privilege at this time; one, that it is a monopolising company, and the other that it is a despotic government. I do not think there is much in these objections; because, though the right hon. Gentleman stated them with great ability, and dilated on them with great force and eloquence, they seem to me to have no relation to the subject. The exclusive privileges of the Hudson's Bay Company are already granted, and you cannot take them away without a breach of every principle which is held sacred or binding. Those exclusive privileges have been granted until the expiration of the year 1849. They hold their lands by a grant of the Crown, dated the 13th of May, 1838, which confirms their possession for twenty-one years from that date. I conceive that is a grant which cannot be taken from them. It is not proposed now to give them any exclusive powers. The hon. Gentleman complains of the despotic authority of the Company. The present proposal is to make a government on the basis of a free constitution. The hon. Gentleman can hardly be dissatisfied with a constitution which proposes that every inhabitant shall have a vote for a representative assembly, and that that representative assembly, with a governor and council, shall govern the colony. There is nothing to prevent the sale of land by the Company. There are no insurances or impediments such as have been alluded to; and, after all, it appears that the proposal is not to grant the Company any exclusive right, or to confer upon them any despotic authority. The argument of the hon. Gentleman might be very good for showing that in future the powers of the Hudson's Bay Company should be disallowed, in the same method that you might make an argument against the East India Company, by showing that they were a despotic and monopolising body, to whom further encouragement should not be given. But this has nothing to do with the immediate question. The question is whether the Crown, seeing no prospect of colonisation, is acting wisely in proposing to grant the possession of the lands for a limited period to a Company desirous of carrying out the experiment of colonisation, remembering that it would be prejudicial to this country if it were to lose the possession of this island. My right hon. Friend near me showed clearly that that would be the case—no answer has been made, no answer can be made, to that proposition. I do not say, however, that this House might, by an adverse vote, stop colonisation altogether, and enable the Americans to become possessors of the island. I own, for my part, I estimate the authority of Lord Elgin upon this point more than I do that of the hon. Gentleman. Lord Elgin stated that he has not made specific inquiries, but that he felt himself bound to say that the result of the inquiries which he had made were highly favourable to the Hudson's Bay Company, and left upon his mind the impression that their authority was exercised in a manner which, on the whole, was advantageous to England.

Mr. GOULBURN said, the objection which they made to the grant was this—that it had been improvidently made, because the Company had not the capacity, nor were they in a condition, to form a colony; and how could they prove that objection was rightly made, unless they showed from the condition of the Company that they were incapacitated? and from their conduct over a vast extent of territory, it was impossible to infer a beneficial result from their rule. The noble Lord, in vindication of this grant, told the House that if they did not immediately take possession of the country, the Americans, knowing the value of Vancouver's Island, would seize the opportunity of possessing it for themselves. But if the island was so valuable to the Americans, surely it was valuable to us; and it became the Government to see that they placed it upon such a footing as would render it more valuable. He, for his part, had no fear that by a temporary suspension of operations, which, if carried on, would cripple the colony for ever, any disadvantage could accrue; he had no fear that America would occupy the colony: especially when he remembered that there was a fine harbour in the island capable of holding their fleet, and when he reflected that Great Britain maintained a squadron in the Pacific capable of protecting her possessions. He believed that the Hudson's Bay Company had a small settlement in the island which would enable them to retain possession, in the name of the Queen of England, and in defiance of all the force of the American States. Lord Glenelg saw the great disadvantages which would accrue to this country if the whole of the territory was to be submitted to the control of the Hudson's Bay Company, so far as regarded the exclusive privileges of trade. He made a stipulation in the grant, that when any colony was founded within those limits by the British Government, from that moment the exclusive privileges should be abolished; so that if the Government established to-morrow any colony within those limits, the privileges of the Company were at an end, so far as that colony was concerned. Now, by the grant of the whole of the territory, which you are about to make, you abrogate that cautious provision which Lord Glenelg made in 1838. But, say the noble Lord and the hon. Member for Liskeard, we are going to give them a perfectly free constitution. What are the terms by which it is suggested to carry out this plan? You give the whole of the land in Vancouver to the Company. You have a representative assembly—you establish a governor and council—you promise free institutions and universal suffrage—[Mr. Buller: I said that the inhabitants should have a vote.] He thought that the right hon. Gentleman was on the point of assuring him that they should have vote by ballot; and if ever there was a case when men were to exercise that privilege it would be in this, where it would be under the inspection of the Hudson's Bay Company. The grant vests the whole territory in the disposal of the Hudson's Bay Company. They have the disposal of land to all settlers. The House had heard that night what were the terms on which they disposed of land which was their property. The land would be forfeited instantly, if the purchaser did not obey all the rules and ordinances of the Hudson's Bay Company—if he did not perform all those duties for the regulation of the peace which they desired—and, above all, if he did not pay such taxes as might be imposed by the Hudson's Bay Company. Would any man tell him that men holding their lands upon such a tenure as that were able to form a free Parliament, or to exercise an unbiassed judgment as to what was best for the interests of the colony? And this was what the right hon. Member for Liskeard told the House was a free constitution! He thought that he had sufficiently shown to the House that whatever the other advantages of the measure might be, the colonists would not be likely to derive any advantage from the freedom of institutions about to be conferred upon them. He now came to the last point, in which they were told that a remedy had been provided by which they were positively to secure the settlement in Vancouver's Island. At the end of eleven years the people of England were to have the satisfaction of paying a long bill to the Hudson's Bay Company for all the expenses incurred during previous years, and that price should be paid, unless they were prepared to sacrifice the possession of the colony. He thought that he had said enough to show this was an improvident arrangement which had been entered into; and that the Government had not pursued that course which would most promote the prosperity of that particular portion of the empire. He was anxious that this valuable island should not be left in the hands of those who, without imputing evil dispositions, had not the capacity to form a settlement which would be advantageous to the country. The period was not very far distant when the knowledge of the advantage conferred on this island would induce settlers to proceed thither. Upon the grounds which he had stated, he did hope that the Government would give the subject a consideration.

The House divided on the question, that the words proposed to be left out stand part of the question:—Ayes 76; Noes 58: Majority 18.

List of the Ayes.

Abdy, T. N.
Acland, Sir T. D.
Adair, R. A. S.
Anson, hon. Col.
Bagshaw, J.
Barnard, E. G.
Berkeley, hon. Capt.
Berkeley, hon. C. F.
Bernal, R.
Birch, Sir T. B.
Boyle, hon. Col.
Brotherton, J.
Buller, C.
Bunbury, E. H.
Clay, J.
Clements, hon. C. S.
Colebrooke, Sir T. E.
Craig, W. G.
Dundas, Adm.
Ebrington, Visct.
Elliot, hon. J. E.
Ferguson, Sir R. A.
Foley, J. H. H.
Fortescue, hon. J. W.
Freestun, Col.
Glyn, G. C.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grey, R. W.
Grosvenor, Earl
Hawes, B.
Hayter, W. G.
Headlam, T. E.
Hobhouse, rt. hon. Sir J.
Hobhouse, T. B.
Howard, Sir R.
Inglis, Sir R. H.
Jervis, Sir J.
Labouchere, rt. hon. H.
Lennard, T. B.
Lewis, G. C.
Locke, J.
M'Gregor, J.
Martin, C. W.
Masterman, J.
Matheson, A.
Maule, rt. hon. F.
Melgund, Visct.
Morpeth, Visct.
Morris, D.
Ogle, S. C. H.
Paget, Lord A.
Palmerston, Visct.
Parker, J.
Perfect, R.
Power, Dr.
Raphael, A.
Reynolds, J.
Rich, H.
Romilly, Sir J.
Rumbold, C. E.
Russell, Lord J.
Rutherfurd, A.
Scrope, G. P.
Seymour, Lord
Shelburne, Earl of
Sheridan, R. B.
Somerville, rt. hn. Sir W.
Spearman, H. J.
Talfourd, Serjt.
Thicknesse, R. A.
Thornely, T.
Tollemache, J.
Willcox, B. M.
Wilson, M.
Wood, rt. hon. Sir C.

TELLERS.
Hill, Lord M.
Bellew, R. M.

List of the Noes.

Adair, H. E.
Anderson, A.
Anstey, T. C.
Bankes, G.
Bennet, P.
Bentinck, Lord G.
Bowring, Dr.
Broadley, H.
Brown, W.
Cabbell, B. B.
Campbell, hon. W. F.
Christy, S.
Corry, rt. hon. H. L.
Drummond, H.
Duncan, G.
Ewart, W.
Fox, W. J.
Gladstone, rt. hn. W. E.
Goulburn, rt. hon. H.
Greene, J.
Gwyn, H.
Hamilton, G. A.
Henley, J. W.
Herbert, H. A.
Hood, Sir A.
Jones, Capt.
Keogh, W.
Kershaw, J.
Lacy, H. C.
Lushington, C.
Martin, J.
Miles, W.

Milner, W. M. E.
Moore, G. H.
Napier, J.
O'Brien, Sir L.
O'Brien, T.
Osborne, R.
Pearson, C.
Repton, G. W. J.
Salwey, Col.
Scholefield, W.
Scott, hon. F.
Sibthorp, Col.
Stuart, Lord D.
Sturt, H. G.
Tenison, E. K.
Thompson, Col.
Thompson, G.
Tyrell, Sir J. T.
Urquhart, D.
Verner, Sir W.
Vivian, J. E.
Walsh, Sir J. B.
Wodehouse, E.
Wood, W. P.
Wyld, J.

TELLERS.

Hume, J.
Howard, P.

House in Committee of Supply.

On the question that 2,006*l.* be granted for the salaries of certain professors in the Universities of Oxford and Cambridge,

Mr. OSBORNE said, he should divide the Committee on this vote. It might be very well to provide education for the poor, but it was doubtful policy to pay for the education of the rich.

Sir R. H. INGLIS said, a much larger sum was given to the University of St. Andrew's. This House gave 953*l.* to Oxford, and 1,053*l.* to the University of Cambridge; and they took away, in the shape of stamps and degrees, a sum twice as large as the pittance which they doled out.

Lord JOHN RUSSELL said, that he should be very sorry if the Committee were to reduce the vote for professors; at the same time he thought it was a matter for consideration and inquiry whether, in future, they should not endeavour to make some condition by which these professorships might be made useful. There was another subject upon which he would take the liberty of saying a few words, namely, as to the admission of Dissenters to our Universities. He thought that the statutes of the Universities, and the constitution of the Universities, as they at present stood, did prevent Dissenters from being inmates of the colleges in one instance, and in the other instance taking degrees; but it was well known that at Cambridge both Roman Catholics and Protestant Dissenters had been educated, and had continued their education at the University until they came to the point of receiving their degrees. It had been suggested by some persons holding office in the University of London, whether certificates which were given by other colleges should not be given by the University of Cambridge to Roman Catholics and Protestant Dissenters, to enable them to take a degree at the University of London, certifying that they had obtained an efficiency entitling them to receive the degree. Some arrangement of that sort might do away with the objection to altering the constitution of the Universities. It did not require any essential alteration in the constitution of the Universities to adopt this system, and he hoped, in the course of next year to state that the alteration had been made.

Mr. GLADSTONE said, that this vote certainly stood on a different footing from the gratuitous vote originally taken out of the finances of the country. It was connected with the patronage of the Crown, and the just influence the Crown ought to have with the Universities. As a matter of money, no great value was to be attached to a vote like this—the tax on degrees greatly outweighed this vote. If it were unworthy of wealthy institutions, like the Universities, to receive this 900*l.* a year, he did not think that the tax on degrees was one which the Exchequer ought to have. It was insignificant in its amount, and ungenerous in its character, and the sooner it was got rid of the better. He cordially concurred with the noble Lord in thinking that, as they were stewards of this vote, they were perfectly entitled to see that the duties were adequately performed. As to what the noble Lord had said as to the arrangement between Cambridge and London, he could not help thanking the noble Lord for that proposition in this sense, that it showed a real and practical view of the question, and a real desire to consult the various interests that were concerned. He assured hon. Gentlemen that there were many men in the University of Oxford, holding high office there, who had given their attention to the means of greatly extending the reception of the less wealthy class into the University. He trusted that no long time would elapse before they would be able to realise their intentions.

Colonel THOMPSON said, he was unwilling to let the debate pass over without stating that he apprehended the Dissenters would not accept the proposal, that after keeping their terms at Cambridge they should be allowed to take their degrees at the London University. He knew no reason why they should consent to being thus rejected as unworthy. The only ground urged for excluding Dissenters was, that there would be difficulties in their attending in the college chapels. The way to obviate these would be for the Dissenters to have a college in the University with a chapel of their own. If there were still difficulties on the subject of their admission to the academic senate, on the ground that religious subjects might be debated there, it would be for the Dissenters to consider whether they would stand upon the point.

The Committee divided:—Ayes 96; Noes 20: Majority 76.

List of the Noes.

Anderson, A.
Berkeley, hon. C. F.
Bowring, Dr.
Fortescue, hon. J. W.
Fox, W. J.
Greene, J.
Kershaw, J.
Locke, J.
Lushington, C.
Martin, J.
O'Brien. T.
Pearson, C.
Peto, S. M.
Power, Dr.
Reynolds, J.
Salwey, Col.
Scholefield, W.
Thompson, Col.
Thompson, G.
Tyrell, Sir J. T.

TELLERS.

Osborne, B.
Williams, J.

House resumed. Committee to sit again.

CORRUPT PRACTICES AT ELECTIONS BILL.

On the question that the Bill be read a Third Time,

Mr. H. HOBHOUSE, after a few remarks, moved that it be read a third time that day three months.

A short debate ensued, and the House divided on the question that the word "now" stand part of the question:—Ayes 80; Noes 13: Majority 67.

List of the Noes.

Anstey, T. C.
Bankes, G.
Bennet, P.
Bentinck, Lord G.
Cabbell, B. B.
Christy, S.
Henley, J. W.
Masterman, J.
Napier, J.
Newdegate, C. N.
Sturt, H. G.
Tyrell, Sir J. T.
Urquhart, D.

TELLERS.

Sibthorp, Col.
Hobhouse, T. B.

Bill read a third time and passed.

House adjourned at half-past Two o'clock.

HOUSE OF LORDS,

Monday, August 21, 1848.

Minutes.] Public Bills.—1ª Metropolitan Commissioners of Sewers; Labouring Poor (Ireland); Corrupt Practices at Elections.

2ª London (City) Small Debts; Out Pensioners; Stock in Trade Exemption.

Reported.—Farmers' Estate Society (Ireland); Tithe Rent Charge, &c. (No. 2) (Ireland); Steam Navigation; Turnpike Acts Continuance; Assessionable Manors Commissioners (Duchies of Cornwall and Lancaster); Militia Pay; Poor Law Union District Schools.

3ª and passed:—Registers of Sasines (Scotland); Court of Justiciary (Scotland); Money Order Department (Post Office); Insolvent Debtors Court.

Petitions Presented. From the Trustees, Creditors, and Others, interested in the St. Leonard's, Seddlescomb, and several other Turnpike Trusts, complaining of the State of Turnpike Trusts throughout England and Wales.—From the Counties of Cork and Waterford, against the Fisheries (Ireland) Bill.—From Charles Miller, M.A., Clerk, praying for Inquiry into the Nature of the Revenues of the Christian Church.—From the Waterford Sanitary Association, for the Adoption of Measures to provide for the Prevention of the Indian Cholera in Ireland.—From Clergymen of the Church of England, against the Charity Trust Regulation Bill.—From the Parish of Frome Selwood, in the County of Somerset, for the Repeal of the Poor Removal Act.

THE IRISH REBELS.

Lord BROUGHAM inquired whether the report was or was not well founded, that there had been presented a petition, or memorial to the Crown, signed by many of the Prelates and Clergymen of the Irish Catholic Church, praying for the extension of mercy to those misguided men who had been led away from the line of their duty to commit—some of them high treason by waging war against the Queen, and others felonious offences, by recommending means for the destruction of the troops, by pouring on them vitriol and other deleterious compounds, with the ultimate view of getting up a massacre and involving the country in a civil war?

The Marquess of LANSDOWNE replied, that he had no official knowledge of the existence or the presentation of any such document.

CORRUPT PRACTICES AT ELECTIONS BILL.

The LORD CHANCELLOR moved the First Reading of the Corrupt Practices at Elections Bill. It was his intention to move the second reading upon Thursday next.

Lord REDESDALE protested against the hurrying a Bill of such an important character as this at such a late period of the Session. The Bill had only been laid upon the table of the House that evening. It attacked a great number of boroughs, and that upon grounds very indefinite. It was hardly possible to estimate the importance of the measure; and he did hope that Government would yield to the wishes of the Opposition, and postpone it until further time was given for its consideration.

Lord BROUGHAM felt that it was absolutely necessary, for the honour of Parliament, as well as for the morality of the country, that a stop should be put to the practices which commonly prevailed all over it at elections, and never to such an extent as they had at the last.

The LORD CHANCELLOR did not consider that there was any ground for postponing the measure. It was his intention to move the second reading of the Bill upon Thursday next.

Earl GREY considered that they should read the Bill a first time before they could say what they would be disposed to do with it. It would certainly be more convenient to postpone a measure of such importance to a future Session if the adoption of such a course would not lead to its total loss. Such a measure, no matter when introduced to the other House, could never reach their Lordships at a much earlier period of a Session.

The Earl of HARDWICKE thought it was extremely hard that they should be called to pass measures bearing upon the constitution of the country at such a late period of the Session, and in so thin a House. The object of Parliament was to legislate for the people in an efficient manner. This could not be attained if Bills were thus hurried, and if due time was refused for their consideration.

Lord REDESDALE moved, that the Standing Order of the House, No. 24, be read. It was impossible that any Bill could be discussed at that period of the Session with due consideration. The Lord Chancellor proposed to read it a second time on Thursday next. The Bill had only been laid upon the table that day; it could not be with their Lordships before Tuesday, and that would only leave a day for consideration. It was indecent to hurry a Bill of such importance. He did trust that the Government would yield to the wishes of the Opposition upon this single occasion. Some deference ought to be shown to those wishes, for Government could not complain that they had received from the Opposition any which could in the slightest degree be deemed factious. He would move the further consideration of the Bill upon that day three months.

The Order having been read,

The LORD CHANCELLOR said, the order referred to a Bill passed in the year 1668, and set forth that the passing of that Bill should not be deemed a precedent in future for passing measures at late periods in a Session. The instance referred to occurred in the year 1668, and this was the year 1848. He could not see any similarity between the two cases.

Lord REDESDALE considered that there was a similarity. He again urged upon the noble Lord the policy of yielding to the wishes of the Opposition.

Lord BROUGHAM said, that the legislation of this country was conducted through the medium of the King, Lords, and Commons. He held that the Crown could not disfranchise a borough; the Lords could not disfranchise a borough, neither could the Commons disfranchise a borough. No one branch of the Legislature could disfranchise a borough, or any place entitled to send a representative to Parliament, of its own authority. By the law of the land the Commons could not suspend the right of any borough to send its representatives to Parliament. They had their right to be represented, and, above all, they had that right when a Bill was introduced for the purpose of disfranchising them. The House of Commons had taken upon itself to dispute and set aside the law of the land, and they had suspended the writs for election in several boroughs merely because they were charged with some offence. A certain borough had been thus suspended of its rights for two whole years. He desired that the boroughs should be represented during the inquiry about to take place. He did trust that the law of the land, which had been interfered with, would be once more restored.

The Duke of WELLINGTON: The question before the House is, whether this Bill be read a first time. Let it be so read. As well as he was informed, and he had no better information than what the newspapers afforded, it was proposed by this Bill to form a new jurisdiction for the trial of these cases. And if the Bill pass, their Lordships would be deprived of the right of inquiry into those cases. Their Lordships will have to decide upon them without previous inquiry at their bar. That might be an object which it was very desirable to attain. He apprehended, however, that it was a measure of such importance that it ought not to be brought under the attention of the House without due and full consideration; and he considered full time ought to be given to their Lordships and to the country at large to understand what they were going to do.

Earl GREY: The House always read a Bill a first time before they say what they should do. He would not have risen were it not to put it to the noble Lord whether it were not an incorrect practice to suspend inquiries of this kind. The noble Lord himself voted for the suspension of the writ for East Retford.

Lord BROUGHAM: In all these cases it had become the common practice of the House of Commons to suspend the writ; it is done upon the slightest charge. This was not proper. The case of East Retford was very peculiar in its nature.

Bill read 1ª.

House adjourned.

HOUSE OF COMMONS,

Monday, August 21, 1848.

MINUTES.] PUBLIC BILLS.—1° Bankrupts' Release; Poor Removal (England and Scotland); Battersea Park, &c.

2° Millbank Prison; Slave Trade (Equator); Slave Trade (Muscat).

Reported.—Commons Inclosure Act Amendment; Sheep, &c., Contagious Disorders Prevention; Transfer of Landed Property (Ireland).

3° and passed:—Labouring Poor (Ireland); Controverted Elections.

PETITIONS PRESENTED. By Mr. Peto, from the City of Norwich, for an Extension of the Elective Franchise.—By Mr. Disraeli, from Landowners, and Others, of the Parish of Lewknor Uphill, in the County of Oxford, respecting the Proposed Demolition of Ackhampstead Chapel.—By Mr. Peto, from Members of the Congregation of Wesleyan Methodists of the Town of Banbury, Oxfordshire, and from several other Places, in favour of a Better Observance of the Lord's Day.—By Mr. George Thompson, from Rungo Bapojee, the Agent of His Highness Shahoo Maharaj (the Adopted Son of the deceased Rajah of Sattara), seeking Redress for his Master's Grievances.—From Bankers, Merchants, and Others, of the Norwich Chamber of Commerce, for an Alteration of the Bankruptcy Act.—By Mr. Napier, from several Places in Ireland, for Encouragement to Schools in Connexion with the Church Education Society (Ireland).—By Mr. Peto, from the Ministers of the British Association of Baptist Churches, in favour of a Recognition of the Principle of Equal Justice.—By Mr. Headlam, from the Board of Guardians of the Teesdale Union, in the Counties of York and Durham, for an Alteration of the Law respecting Mendicants.—By Mr. Mackinnon, from the Bethnal Green Sanitary Association, for an Alteration of the Nuisances and Contagious Diseases Bill.—By Mr. George Hamilton, from the Dublin and Drogheda Railway Company, for Licensing Omnibus Carriages (Dublin).—By Mr. Parker, from Officers employed in the Ecclesfield Bierlow Union, in the Counties of York and Derby, for a Superannuation Fund for Poor Law Officers.—By Mr. Cobden, from Members of the Bramley District of the Independent Order of Odd Fellows, against the Provident Associations Fraud Prevention Bill.—By Mr. Price, from the Inhabitants of Hereford, to take the State of Turnpike Trusts into Consideration.

SUPPLY—LABUAN.

On the question that a sum of 9,827*l.* be granted for maintaining the Government of Labuan for the year ending the 31st of March, 1849,

MR. HUME thought it too much to begin, at such a place as this, with such salaries as "Governor or Commander-in-Chief, 2,000*l.*; Lieutenant-Governor and Magistrate, 1,375*l.*;" to say nothing of "Master-Attendant and Postmaster, 500*l.*; Surveyor, 500*l.*" He begged to move that the vote be reduced to 3,000*l.*

MR. HAWES observed that this was a new estimate, but Labuan was a position very important in reference to our trade in that quarter; the merchants in all parts of the country had urged the Government to take possession of a station there. Expense was necessarily incurred at starting, but he believed that Labuan would become a second Singapore, and this estimate would be reduced as revenue accrued. No one was so fit for governor as the gentleman who had been appointed.

MR. OSBORNE considered the vote extravagant; it was pretended to be only "to begin with," but, once voted, it would never get less. Next year there would most likely be a bishop; a colony never started with a governor and commander-in-chief without ending with a bishop.

MR. MACKINNON hoped there might be a bishop there some day; nothing was so likely to keep a colony in order and in due subjection to the mother country as an ecclesiastical establishment. Labuan was an important position. Borneo ultimately, in all probability, might belong to this country.

MR. GLADSTONE was a little alarmed at the comprehensive view of his hon. Friend; considering the portion of the earth that we had got, he was more anxious for the cultivation of the field already ours, than for the extension of it, though ready to allow that a post at Labuan might be very wise. The hon. Member (Mr. Osborne) was strangely wrong about bishops. With the exception of a grant which was doomed to extinction on the expiration of a life interest, there was only one vote for a bishop in the whole of the colonial estimates, namely, 600*l.* a year for a bishop in New Zealand, and it had proved the cheapest 600*l.* we ever expended. But the estimate before the House was certainly large. Labuan was in its infancy, and it would be premature to frame establishments for it on the idea that it would be a second Singapore.

LORD J. RUSSELL considered the vote an experiment. Rajah Brooke, by his own genius, activity, and resources, had laid the foundation at Labuan of a considerable trade. He asked the Rajah when in Europe whether he thought that trade would be large? He said he thought it would in time, but did not expect it to grow up very rapidly. The question was whether it would not be advisable as an experiment to foster Labuan for the purposes of commerce. As a station to which our ships might have recourse, it was of considerable importance. Lord Grey stated in his evidence before the Committee, that he expected in a very short time it would, like Singapore, pay the whole expenses of its civil establishment. If that expectation were realised, no further vote would be necessary on account of Labuan. It certainly was worth the experiment; and if it failed, he would not propose a further establishment. As Sir J. Brooke had been so much the originator of this establishment, he thought it was advisable to place him at its head.

Mr. G. THOMPSON admitted the extraordinary exploits of the Rajah in the Indian Archipelago, but deprecated the establishment of Labuan; believing, as he did, that it would tend, not to the promotion of peaceful and honourable commerce, but to the infliction of the greatest calamities on the population of that part of the world. Every humane man must shudder as he read the proceedings of our ships of war, and the indiscriminate massacres that had taken place, directly or indirectly, in connexion with their proceedings at Labuan.

Viscount PALMERSTON could not allow this conversation to close without saying a few words. The hon. Member for the Tower Hamlets objected to the vote because he thought the interests of humanity and justice would be better consulted by abandoning Labuan; because its establishment would lead us into incessant conflict with the peaceful inhabitants of that region, and even involve the aborigines in indiscriminate massacre. Now, if it were possible for the ingenuity of man—ignorant, as the hon. Member was not, of the circumstances under which that establishment had been formed—to make a statement in every respect the very reverse of the fact, it would be such a statement as the hon. Gentleman had made. What was it that obstructed the increase of the peaceful commerce of Europe and Asia in those islands? What but the prevalence of piracy? The peaceful aborigines! Why, a multitude of those islands were filled with nests of pirates, who preyed on the peaceful aborigines, and destroyed commerce in those distant seas. The object of our naval expeditions had been to put down the most detestable and diabolical system of piracy that ever existed on the face of the globe. Those pirates went out frequently in fleets of 12,000 men, armed, and required a very considerable force to meet and repress them. We were not the only people taking measures to put them down. The Spanish Governor General of the Philippine Islands had sent a large naval and military expedition for the express purpose of rooting them out, particularly on the Sooloo coast; and it was only after a very obstinate resistance that he had been enabled to complete his purpose. Here was a quarter in which commerce was capable of a great and important development. That could not take place without adequate protection against this most extensive and formidable system of piracy; and he did hope that one of the beneficial consequences that would result from the establishment of Labuan would be the extinction of these pirates, partly by the exercise of military force, and partly by the moral effects of civilisation; and thus the interests of commerce in Europe and Asia would be materially advanced.

The Committee divided on the question, that a sum not exceeding 3,000*l.* be granted:—Ayes 12; Noes 56: Majority 44.

List of the AYES.

Buxton, Sir E. N.
Fox, W. J.
Greene, J.
Gwyn, H.
Hardcastle, J. A.
Kershaw, J.
Lushington, C.
Osborne, R.
Salwey, Col.
Thompson, Col.
Urquhart, D.
Williams, J.

TELLERS.

Hume J.
Thompson, G.

List of the NOES.

Adair, R. A. S.
Armstrong, Sir A.
Arundel and Surrey, Earl of
Bellew, R. M.
Berkeley, hon. Capt.
Boyle, hon. Col.
Burrell, Sir C. M.
Callaghan, D.
Campbell, hon. W. F.
Clements, hon. C. S.
Cowper, hon. W. F.
Cubitt, W.
Divett, E.
Duncan, G.
Dundas, Adm.
Dunne, F. P.
Elliot, hon. J. E.
Ferguson, Sir R. A.
Foley, J. H. H.
Grey, rt. hon. Sir G.
Hawes, B.
Hay, Lord J.
Hayter, W. J.
Hobhouse, rt. hon. Sir J.
Hobhouse, T. B.
Howard, P. H.
Jervis, Sir J.
Keogh, W.
Labouchere, rt. hon. H.
Lascelles, hon. W. S.
Lewis, G. C.
Lygon, hon. Gen.
Mackinnon, W. A.
M'Gregor, J.
Morpeth, Visct.
Norreys, Sir D. J.
Palmerston, Visct.
Parker, J.
Power, Dr.
Rich, H.
Romilly, Sir J.
Russell, Lord J.
Scrope, G. P.
Sheil, rt. hon. R. L.
Shelburne, Earl of
Smith, J. A.
Somerville, rt. hon. W.
Tenison, E. K.
Thornely, T.
Vyse, R. H. R. H.
Waddington, H. S.
Walsh, Sir J. B.
Watkins, Col.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.

TELLERS.

Tufnell, H.
Craig, W. G.

Other votes agreed to.

House resumed.

Committee to sit again.

VANCOUVER'S ISLAND.

In answer to a question from Mr. Hume,

Lord J. RUSSELL said, it was intended to accompany the grant of Vancouver's Island to the Hudson's Bay Company with certain conditions which would make it imperative upon the Company to do all in their power to promote colonisation. If the Company should accept the grant upon those conditions, his noble Friend at the head of the Colonial Department intended to lay all the papers connected with the subject before the Committee of the Privy Council, and it would depend on the recommendation of that Committee whether the grant should be concluded or not. It was not the intention of the Government to send out a Commission of Inquiry to Hudson's Bay, because that would delay the colonisation project for two years, besides being a source of expense.

Mr. HUME declared that he did not wish the Government to send out a Commission of Inquiry; all he desired was that Parliament should have time to consider this subject before the Government came to an irrevocable decision upon it.

Mr. GLADSTONE thought that the noble Lord's statement was most unsatisfactory. It appeared that the Government was prepared to confirm the grant of Vancouver's Island to the Hudson's Bay Company, irrespective of the charge now pending against that Company of having exercised illegal and despotic authority over Her Majesty's subjects. The fundamental unfitness of the Hudson's Bay Company for the work of colonisation had been demonstrated; and, whatever restrictions might be imposed upon them for the purpose of preventing positive abuses, it would be as impossible to infuse the active powers necessary for colonisation into the Company as it would be into a corpse.

Lord J. RUSSELL said, that the inquiry which the Secretary for the Colonies had directed to be made into the conduct of the Hudson's Bay Company, before any discussion on this subject took place, would proceed; but the Government did not intend to await the result of that inquiry before confirming the grant of Vancouver's Island to the Company. Both he and the Secretary for the Colonies were of opinion that Vancouver's Island was not likely to be colonised for a great many years by any other means than through the instrumentality of the Hudson's Bay Company.

EDUCATION IN IRELAND.

On the question that the Speaker leave the chair for the House to go into a Committee of Supply,

Mr. G. A. HAMILTON said, it was after much consideration, and not without some hesitation, he had arrived at the conclusion that it was his duty to bring the important subject of the present national system of education in Ireland before the House, even at the present period of the Session. In doing so, he was anxious to confine himself as much as possible to a statement of the position in which the clergy and laity of the Established Church were placed by the rules and nature and principles of the system; and the Motion with which he would conclude his statement was—

> "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to direct that such a modification of the system of National Education in Ireland be made as may remove the conscientious objections which a very large proportion of the Clergy and Laity of the Established Church entertain to that system as at present carried into operation; or, otherwise, that means may be taken to enable those of the Clergy and Laity of the Established Church who entertain such conscientious objections to extend the blessings of Scriptural Education in Ireland."

There never was a period when the value of education was more generally felt and acknowledged, or when the principles on which any general and national system ought to be founded were better considered and admitted than they were in England at present; and, in fact, the sum and substance of his complaint, and that of the clergy of the Established Church in Ireland was this, that the toleration which in England is extended to every denomination of Dissenters, with regard to schools for the education of the poor, and the principles which in this country are now recognised as the only sound and just principles of education, are not extended to the clergy of the Established Church in Ireland. Here he would take the liberty to refer to the sentiments of the Right Rev. Dr. Briggs, one of the vicars apostolic in this country. They were expressed by him at a meeting of Roman Catholic clergymen and laity of the Yorkshire district for the promotion of the education of the poorer classes, held on the 16th of March last. Dr. Briggs states—

> "The word education is derived from the Latin word *educere*, that is, to bring forth, or lead out, or develop the faculties of man. It is a very different thing from what is commonly called in-

> struction. Instruction is designed to benefit the faculties of the body and of the mind, whereas education is designed to promote chiefly the spiritual welfare of man."

He proceeds to say—

> "If we confine education to mere reading and writing, and casting accounts, we leave out the principal object for which education is designed—namely, for man's spiritual powers and benefit. In this country great attention has been paid to instruction or the first part of education, but little attention seems to have been paid to the great and principal object of education, namely, spiritual improvement. Now, it is the intention of this meeting, and of the Catholic clergy and laity, who have united themselves in this good cause, that we should lay the basis of education—a good and religious education. We hold that instruction and knowledge are not sufficient unless based on religion. Instruction may enable a man to rise in the world, and aggrandise himself; but a good and religious education teaches him a much higher aim."

The object of that meeting was to obtain for themselves (Roman Catholics) a portion of the funds granted by the public for educational purposes, in order to enable them to carry out a system of education in the sense of the word in which Dr. Briggs had used it; and they have succeeded. He supposed it would be conceded by all, except a school of philosophers, with whom he would not argue, that religion ought to be made the basis of education; and he felt bound to say he believed it to be a great mistake to imagine that the Roman Catholics of Ireland were favourable to mere secular education. Well, then, assuming it to be agreed upon that religion is to be made the basis of education, it is quite obvious, that in establishing any general or national system of education, the difference, the essential and fundamental difference, between the principles of the Church of Rome and all Protestant Churches, with regard to the supremacy and sufficiency of the Holy Scriptures, which *à priori* might be expected to arise, does actually arise; and accordingly it is found that while all Protestants, both in England and Ireland, in conformity with the spirit and principles of Protestantism in all its modifications, require, as an indispensable condition, that Scriptural instruction should form the basis of their religious education, the clergy of the Church of Rome, in conformity with the principles of their Church, adopt and require a different standard. In England, until very recently, the national, or rather the State system, was placed on the Protestant basis, but so enlarged as to comprehend every species of Protestant Dissenter—it comprised all who acknowledged the Scriptural basis of education. Consistently with the maintenance of this, the utmost possible toleration is admitted—no conditions are imposed upon the managers, but that the use of the entire Bible, in the authorised version, shall be required in schools aided by public grants; and that a report, in order to secure religious instruction, shall be made concerning the religious state of each school, unless in cases in which the managers object, on religious grounds, to make such report; and in that case, such deference is there felt to the conscientious scruples of all, that you do not require such report; that is, under the English system, you do not confine Churchmen and Dissenters in the same school; you permit or encourage each to be educated according to his own conscientious views; there is no compulsion, except as regards the use of the Scriptures. Recently the principle of toleration has been carried still further, and by the Minute of Council of December 18, 1847, you grant aid to Roman Catholic schools, without requiring any report, except respecting secular instruction; therefore, even in England, in deference to the Roman Catholic principle, you do not insist upon Scriptural instruction in Roman Catholic schools. The utmost possible toleration to the conscientious opinions or scruples of all parties is, therefore, the characteristic of the English system. Those who approve of the Church system can establish Church of England schools—Protestant Dissenters can establish Scriptural schools—and even Roman Catholics can now establish schools in which the Roman Catholic religion is made the basis of education. Now, with regard to the case of the clergy and laity in Ireland who object to the national system of education, it might, perhaps, be sufficient for him to state, that conscientious objections being entertained, and the principle of toleration being established in England, it is reasonable and right that means should be taken for satisfying those conscientious scruples. The reasonableness or unreasonableness of those scruples cannot be admitted as a good or valid argument to the question; for no Protestant can, of course, admit that the conscientious objections of Roman Catholics to the use of the Holy Scriptures were reasonable; and yet those objections were conceded to in Ireland in the year 1833, and in this country in the Minutes of Council of last December. It would seem hard that while in Ireland and in England the rules of national education, and the terms and conditions on which public aid is given to schools, are modified and altered, so as to accommodate themselves to the opinion or the prejudices of every denomination of Dissenters—the opinions—even if they were liable to be called prejudices—of the Established Church in Ireland, were alone to be disregarded. The House will recollect that previous to the year 1831, a strictly Scriptural system had been in operation for many years in Ireland, sanctioned by Government, supported by large grants of public money, and having the countenance and support of the great body of the clergy of the Established Church. This system, under which it was an indispensable condition that the Holy Scriptures should be read by all children who had obtained suitable proficiency in reading, excluding all human compositions of a controversial character, but affording proper opportunities for peculiar religious instruction out of school hours, was a united Scriptural system. At that period there were 1,634 schools, and 132,000 children in connexion with the Kildare-place Society; and, including other Scriptural schools, connected with other societies, there were 374,000 children, of whom at least one-half were Roman Catholics, receiving Scriptural instruction in Ireland. In October, 1831, the Scriptural character of the Kildare-place system, as being at variance with the principles of the Roman Catholic Church, was declared to be a vital defect in that system; and in conformity with the recommendation of the Select Committee of 1828—it was proposed to establish a system which would afford, if possible, a combined literary and separate religious education, abrogating, of course, that portion of the rules of the Kildare-place Society, by which the reading of the Holy Scriptures was made a part of the system—requiring that the schools under the new system should be kept open for a certain number of days and hours for moral and literary instruction only, and that the remainder of the week should be set apart for giving separately such religious education to the children as might be approved of by the clergy of their respective persuasions; and claiming, moreover, entire control over all the books to be used in the school, whether in the combined moral and literary, or separate religious instruction, including the Holy Scriptures. Now, considering that the great principle of Protestantism is the supremacy and sufficiency of the Holy Scriptures, and the unlimited, unrestricted, unqualified right and duty of using them, as contradistinguished from that qualified and restricted use which is the principle of the Roman Catholic Church; and considering also that the Kildare-place Society required the Holy Scriptures to be read in their schools without note or comment, he (Mr. Hamilton) was not surprised that the Roman Catholic clergy should have viewed that system with suspicion and dislike; but when a new system was established, abrogating expressly that Protestant principle which was involved in the plan of the Kildare-place Society, repudiating it as a vital defect, and establishing in lieu of it the Roman Catholic principle of the restricted and qualified use of the Holy Scriptures, he (Mr. Hamilton) did not see how it was possible that it could have been expected that Protestants generally, and especially the Protestant clergy, could support it; and, accordingly, the great body of the Protestants of Ireland, nearly all the clergy, and seventeen of the bishops, did object to the system, and precisely on the gronds that it negatived the great principle of all Protestant Churches with regard to the free use of the Holy Scriptures, and affirmed the opposite principle with regard to the restricted and qualified use of them; and that in connecting themselves with the National Board, the clergy of the Established Church would be subscribing to the principle of the Roman Catholic Church, which it was their duty to resist, and negativing the opposite principle of their own Church, which they were bound by solemn obligations to maintain. In order to remove or diminish the objections which had been raised against the system, some modifications in it had been made; but in some respects those modifications had rather increased than diminished those objections. The patrons of schools, instead of the clergy, now possess the right of appointing such religious instruction as they may think proper; and religious instruction may be given at any time, even during the ordinary school hours, provided that each school shall be open to children of all denominations, and that those children only shall be compelled to be present whose parents or guardians allow them. These modifications enabled many patrons, especially among the Presbyterians, to establish schools in which the Scriptures are read; but they have not removed the conscientious objections which the great majority of the Protestants of the Established Church entertain to the anti-Protestant principle which is involved in the system. The National Schools are required to be open to all denominations. A Protestant layman or clergyman acting as the patron of a school under the rules of 1843, and appointing Scriptural instruction as a part of the system during the fixed school hours each day—although holding the great Protestant principle that it is the duty, and the privilege, and the inalienable right of every human being, to whom God has been pleased to make known the revelation of His will, to form his own character, and the characters of all within his sphere and influence, and to frame his life, and derive his motives, and to found his morality and conduct, by reference to God's Holy Word, as the only rule and standard, and that without restriction or qualification, at all times, and under all circumstances, is actually compelled, when the time for religious instruction in the Holy Scripture arrives, to do homage to the Roman Catholic principle, and to turn out of his school the child of a Roman Catholic parent, who, in obedience to the dictate of his priest, may prohibit that child from studying God's Word, although the inclination, and desire, and judgment, and intellect of that child may all combine in enabling him to appreciate justly the inestimable value of Scriptural education. But the system is now, in some respects, even more objectionable than it was according to the plan originally proposed. Lord Stanley proposed that the school room should be neutral ground for moral and literary instruction; but an efficient provision was made as a part of the system for the religious education of the children during a portion of the week. By the modifications of the Commissioners, while they admit, on the one hand, that during the fixed school hours, and under certain circumstances in the school room, peculiar religious instruction may be made part of the system, they stipulate, on the other, for nothing more than mere secular instruction in the schools; so that at this moment it may happen that a child may pass through a national school—be well instructed in mere secular knowledge, and yet be left wholly ignorant of the most elementary principles of religion; while in another, the children during school hours, and in the school room, may be instructed in the peculiar tenets of the Roman Catholic or any other religion—the only condition being, that when the revealed will of God, which every member of the Church of England believes to contain all things necessary to salvation—the standard of Christian faith—the foundation of Christian hope, and the only true source of Christian charity and love—is made the subject of instruction, those children, whose parents or guardians, either from ignorance, or infidelity, or bigotry, think proper to regard the Bible as a proscribed book, shall absent themselves from that instruction. He would ask the House whether or no the conscientious objections of the Protestants of Ireland were unreasonable? and could it be expected that the clergy of the Established Church would be parties to a system which repudiated a principle they were bound to uphold, and sanctioned a principle they condemned? The working of the system had proved what might be expected—instead of its being a really united system, it was an essentially separate one, and never could be otherwise. Many Roman Catholics, no doubt, and many Protestants, had availed themselves of the modifications of the Board, and hod established schools, some in connexion with places of worship, in which their own peculiar tenets are taught; while few, very few schools indeed, could be found in which a really united system existed. There might be a few exceptions, but he (Mr. Hamilton) would maintain it was vain to expect that a system so constituted could possibly unite children of different persuasions. He firmly believed both Protestants and Roman Catholics were opposed to a system to which, if fully carried out, a sacrifice of principle was made the price of union. The case of the children of the poor was different from that of the youth of other classes in society. It was necessary to provide an efficient system of religious education in schools for the children of the poor; they must go to school at an early age, or they cannot go at all; in most cases, they go to school just at the age when it was most important that the principles of religion should be instilled into their minds. Was it to be supposed that such an abandonment of religious instruction with regard either to Protestants or Roman Catholics, as would be necessary to secure a really united system of education, according to the principles of the Board, would be made by either? Religion, he thought, was regarded as a matter of too great moment, both by Protestants and Roman Catholics, to be dealt with in that way. If a united system is practicable, it must be upon some religious ground, or it cannot be at all. The Holy Scriptures he (Mr. Hamilton) believed, did afford that common ground; but if that was denied, he thought a united system on other grounds impossible. That the national system of education is not, in point of fact, a united system, might be proved by many strong instances. The Archdeacon of Meath, two years ago, had taken much pains to make inquiry respecting the state of education in that diocese, and with a manifest desire to promote an accommodation with the National Board. He found, then, that of ninety-six schools, about eight might be looked upon as effecting, in some degree, the object of united education, having more than three Protestant children attending in each with Roman Catholics: of these ninety-six schools, fifty-seven were under the patronage of Roman Catholic priests—twenty-five being in connexion with Roman Catholic chapels, and four being conducted by nuns. He really believed the same state of things would be found in reference to the National Schools throughout the whole of Ireland. If any hon. Member would refer to the appendix to the last report of the Commissioners of National Education, he would find a list of the vested and non-vested schools, with the names of the patrons. He (Mr. Hamilton) had caused that list to be compared with the list of the clergy of the different denominations in Ireland. The House will recollect that the patrons of schools have the right of appointing such religious instruction as they shall think proper, either during the fixed school hours or otherwise; this right is given them by the third rule. As the result of this comparison, he (Mr. Hamilton) was enabled to state to the House that at the present time there were no fewer than 2,505 schools of which the patrons are Roman Catholic clergymen. He was far from adverting to this as a matter of complaint, or as a matter of blame either as regards the National Board or the gentlemen to whom he alluded; on the contrary, he had stated at the outset, and he had quoted the authority of Dr. Briggs for saying so, that the Roman Catholics attached just as much importance as Protestants did to a religious basis for education; and he had no doubt that in the schools under the management of the Roman Catholic clergy, every attention is paid and great pains taken to inculcate the tenets of the Roman Catholic religion on the children attending them. In corroboration of this opinion; and, indeed, as the best commentary upon the working of the national system, he would ask permission to read a short extract from the *Tablet* newspaper. The writer states—

> "The apparent or outward success of the National Board is referred to as a precedent for the mixed education of the provincial colleges. It is difficult to imagine how any one who is tolerably acquainted with the facts, and is even slightly imbued with the elements of reasoning, can use such an argument as this. It was only the other day that one of the most intelligent supporters of the Board said to us, 'I approve of the national system, because, in fact, it gives us Catholic schools;' this is the real truth. In every parish in Ireland, any number of individuals, and the priest among the rest, can establish a school, appoint their own masters and teachers, call it a school, say the Ave Maria whenever the clock strikes, and get aid from the National Board. We have seen this state of things in the south of Ireland with our own eyes—we have seen it in Dublin under the nose of the Government—and we have witnessed with much edification the smile of serene content which often accompanies the utterance of these words, 'Oh, we pay no attention to the rules of the Board.'"

But then it may be said if the rules of the Board admit of the Roman Catholic clergy establishing schools, in which their own peculiar tenents are taught, why cannot the Protestant clergy do the same? Of course that argument would abandon the principle of united education altogether, in which case it could scarcely be denied that it would be better to have a confessedly separate system than one which, being really separate, professed to be united; but the case of the clergy of the Established Church and of the Roman Catholic Church was different. There was no principle which stood between the Român Catholic clergy and their acquiescence in the rules of the National Board. It was not one of their principles that the right to use and read the Scriptures was inalienable on the part of any human being, and that to seek to abridge or to countenance the abridgment of that right was sinful. Though they required a religious, they did not require a scriptural basis; and there was nothing to offend their conscience in sending away a Protestant child, when about to teach the Roman Catholic children their own peculiar tenets. But the position of the Protestant clergyman is different. He holds that the education of all children should be based altogether, on the Scriptural principle—that it should not be supplementary or ancillary to moral and literary instruction—

but that it should be the predominant feature, and pervade the whole system of education. Holding as he does the Protestant principle of the supremacy and sufficiency of the Holy Scripture, he holds that it is the right of every human being to make it his study at all times and in all circumstances; and that it is his duty, as a Christian minister, at all times to uphold and enforce that right. He, therefore, cannot, without violating his principles, be a party directly or indirectly to excluding any child from Scriptural instruction. This is their objection to the system—that it compromises the Protestant principle, and that in connecting themselves with it, they would be themselves compromising that principle in a country, and under circumstances, in which it is peculiarly their duty to withhold it. He (Mr. Hamilton) would not take up the time of the House by adverting in detail to the various efforts that had been made to procure such a modification of the system as would remove the conscientious objections of the bishops and clergy and laity of the Established Church. In the year 1832, an address was issued, signed by seventeen of the twenty Irish bishops, setting forth their conscientious objections to the system as then proposed. In 1845, a similar address was published, signed by the majority of the Irish prelates, in which they state that the rule by which the Holy Scriptures are excluded from the schools during the hours of general instruction, is so fundamentally objectionable, that while this continues to be the principle of the system, they cannot conscientiously connect their schools with it, even though all the other grounds of opposition were taken away. This address was responded to by 1,700 of the clergy, 3,000 of the nobility and gentry of the country, including 33 Peers, and 60,000 of the Protestants. He (Mr. Hamilton) had presented a petition a few days ago to the House, signed by nearly 1,600 of the clergy; and numerous petitions had been presented from all parts of Ireland, praying that the conscientious objections of the Protestants of Ireland might be removed, either by a modification of the national system, so as to enable the advocates of Scriptural education to establish schools on a Scriptural basis, or else to make a separate grant in favour of the Church Education Society. He (Mr. Hamilton) would not advert to the correspondence between the Lord Primate of Ireland and the noble Lord at the head of the Government, or the right hon. Baronet the Member for Tamworth, further than to say, that the arguments and considerations which he (Mr. Hamilton) had endeavoured to bring before the House, had been submitted to the consideration of Government. The noble Lord had stated, in reply to the Archbishop of Armagh, that the revenue of the Established Church in Ireland was sufficient, not only for the support of the beneficed clergy, but also for the encouragement and maintenance of a Scriptural system of education. He (Mr. Hamilton) was unwilling to trespass much longer upon the House; but he could not help just remarking that the Archbishop had pointed out that the income of the parochial clergy in Ireland, even if duly received, would not afford to each an average of 200*l.* a year; while, as he (Mr. Hamilton) might add, each clergyman would have a congregation of more than 600 persons of the Established Church, independently of the Presbyterians and other Dissenters, who in Ireland attended the Established Church. But there was one part of the subject, or at least one consideration connected with the subject, to which it was his duty to advert, and he did so with much pain. He was constrained to say that not only was no encouragement given to the cause of Scriptural education in Ireland—not only were the Protestants and clergy of the Established Church the only class of Her Majesty's subjects to whose conscientious opinions, with regard to education, no consideration was paid—not only were they the only class to whom toleration in respect of those scruples was not extended, but the clergy of the Established Church who entertained those conscientious objections, were excluded from all Government favour and patronage. This was a serious charge, and one that he would be sorry to make lightly, especially after an answer he had recollected hearing from the noble Lord at the head of the Government, in reply to a question from Lord John Manners in the last Parliament. But he (Mr. Hamilton) had seen letters written by the Private Secretary of the Lord Lieutenant to clergymen, in which their opinions were asked on the subject of the national system—and an intimation given that preferment would be conferred only upon those who supported that system. The correspondence between Mr. Villiers Stuart and the Private Secretary, in reference to Mr. Thacker, had been before the public. On that occasion the Private Secretary expressed himself as follows:—

> "His Excellency most sincerely regrets that he is unable to comply with your desire to have Mr. Thacker appointed to the Union of Whitechurch; but that gentleman having so unequivocally and conscientiously declared his opposition to the system of national education, it would be a violation of the principle by which the Lord Lieutenant has been guided, if he were to relax. I add, by desire of the Lord Lieutenant, his request that it may be conveyed to Mr. Thacker that he entertains no objection to him individually, as from all he has heard, and from his conscientious avowal of his opinions, he considers that gentleman to be entitled to the highest respect."

Mr. Villiers Stuart adds, from himself—"I cannot express the deep disappointment the whole parish feels at the loss of such a pastor." He (Mr. Hamilton) had a high respect for the Lord Lieutenant of Ireland; but he would appeal to the noble Lord, he would appeal to the House, and to the justice of the English public, is this tolerable? In England you extend toleration to all classes of Dissenters in matters of education. You depart even from a scriptural basis and principle in favour of Roman Catholics. In Ireland, if a clergyman upholds the principle which every clergyman from one end of England to the other maintains, however highly recommended, however efficient, however pious, however beloved by his parishioners, he is proscribed by the Government because of his conscientious opinions, and the Protestants deprived of the services of such a pastor. Is this doing justice to the Church in Ireland? You talk of Church patronage in Ireland, in times gone by, having been made subservient to political purposes; and so it was, and you are reaping the fruits of that system now. But what else is this but a continuation of the same system? Are you not now prostituting the patronage of the Church in Ireland for the promotion of a political object? What is the duty of Government with regard to Church patronage? Are they not trustees of such patronage for the benefit of the community in the most important of all interests? Is it not, then, their duty, their manifest duty, to use that patronage, to perform that trust, with the single view of promoting the interests of religion? And will any one say that you promote the interests of religion by passing over, and excluding from all share of patronage, the ablest, the most pious, and the most useful clergymen of Ireland, because they are conscientiously opposed to a system of national education, the principles of which you have yourselves condemned as regards England, and which you would not dare to propose in this country? What the Protestant clergy and laity require is simply this—that the rules of the national system be so modified as that schools may be established on such principles as they can conscientiously approve; and they are the principles which you adopt yourselves in reference to schools in this country. Permit a Protestant clergyman or layman to make it the rule of his school that all children attending it should be instructed in the Holy Scriptures. Let those who choose attend it; or else, if you are determined to maintain the national system on its present basis, without any modification or alteration, either make a separate grant, or place the Church Education Society in connexion with the Privy Council in this country. In deference to the conscientious opinions of the Protestants, engraft it into the English branch of the system. Give the principle of scriptural instruction a fair trial in Ireland. You have tried many experiments in that country. Generally, they have been experiments made in concession, not to truth, but to popular influence. The national system of education has now been in operation for fifteen years. I am unable to discern the fruits of that system in the improved condition of the people. Every politician has had his plan for the tranquillisation of Ireland. You have had fixity of tenure, tenant-right—your extension of franchise—you have had the abolition of the Established Church—the endowment of the Roman Catholic Church—the repeal of the Union—and latterly, the establishment of a separate republic. I may be permitted to tell you mine. Do not be afraid to declare to the people of Ireland what you have declared eloquently to the people of England—do not be afraid to tell them that the Word of God is the only standard of right or wrong, and that allegiance, and subordination, and social order, and industry, and contentment, and the performance of their duties, as men and citizens, depend upon higher considerations, and should be influenced by better motives, than the mere human considerations of advantage or expediency, or sentiment or nationality. At all events, do not continue to say that these high considerations are the only ones that shall not be placed before them n any system of education which you sanction. You may say they will not hear you; but experience is against you. Scriptural education was advancing in Ireland under the Kildare-place Society. It is advancing under the Church Education Society. But at least if a Church is to be maintained in Ireland, do not prevent the ministers of that Church from performing that part of their sacred functions; and, above all things, do not tamper with those who respect the truth—far better it would be to confiscate the temporalities of the Church, than to destroy its efficiency by corrupting its ministers. Do not suppose that we Protestants value the Church, except as the means of upholding the great principles of truth, and as the instrument of disseminating them. In order to discharge those functions, the independence of the clergy must be maintained—you must not have recourse to the expedient of bringing Government patronage in the Church in aid of your political objects. Nearly 1,600 out of 2,000 clergymen of the Established Church have declared their conscientious objections to your national system; they have done so with a full knowledge of the system you have been pursuing as regards your Church patronage; and surrounded by difficulties, of which people in England have no adequate notion, they have preferred what they consider the cause of truth and the performance of their duty to their temporal interests. Are these men deserving of respect or of odium? They have been unsparing of their lives, and some of the best clergymen in Ireland have fallen victims during the late famine and pestilence. If it should be the will of God to visit us with still greater calamities, they will be found at the post of danger again. But they are the trustees of great principles, which they will never abandon. He implored the noble Lord to consider these things. He implored him to put an end to this painful question; and when he speaks of an equality of rights, and franchises, and privileges, between England and Ireland, let him remember that the clergy of Ireland are not treated with that toleration which every Dissenter in England enjoys in respect of education, and that by the system the Government has been adopting, and the manner in which they have been carrying it out, they are incurring the heavy responsibility of throwing the weight of Government influence against the Scriptural principle. The hon. Member concluded by moving an address.

Sir WILLIAM SOMERVILLE considered that the address which his hon. Friend opposite had just made, was couched in terms which would not offend the feelings of any person. But no matter how his hon. Friend might have endeavoured to recommend his objects to the House, the real subject under discussion was this: whether or not the national system of education now established in Ireland for a period of fifteen years—he meant the mixed system of education—should be departed from, and such a system substituted for it as was recommended by his hon. Friend. Now, considering the state of Ireland—considering the progress that had been made in the establishment of schools—considering the support given to the present system by a large portion of the population—considering, as he firmly believed, that the prejudices which existed against that system even on the part of Protestants and Protestant clergymen were fast disappearing—he hoped the House would pause before it assented to the Motion of the hon. Gentleman the Member for the University of Dublin, and would uphold the system as now established. It was said by his hon. Friend, that the principles of the Protestant clergy of Ireland forbid them from taking advantage of the present system. On hearing that statement it might be considered by some hon. Gentlemen that there were none of the Protestant clergy who favoured that system; but let them look to the number of clergymen who had taken advantage of the opportunities which it presented. Let them look also to the number of clergymen who were ready to take advantage of it. His hon. Friend, therefore, should not say that on strictly high Protestant principles it was impossible that the Protestants of Ireland could take advantage of it. He admitted that a large body of the Protestant clergy of Ireland were opposed to it, and he thought a greater mistake had never been made by the Protestant clergy of Ireland than by the opposition they originally gave to the establishment of the schools. He also believed that a vast number of them were coming to the same conclusion. He was sure it was unnecessary for him to mention the names of the several distinguished persons who had changed their opinions on the subject; but he might refer to the case of one very eminent person in the north of Ireland, and also to the case of Mr. Woodward, who admitted the mistake he had formerly made when opposed to the system. It was true it was not a system founded upon Scripture in the way the hon. Gentleman understood it. What his hon. Friend understood by it was, that the Bible should be made the school book, and that every child who attended the school should be obliged to make use of that Bible as his school book. But it was not the system of the National Schools to coerce any person's conscience; they did not compel any child to be present at religious instruction, but they permitted every child to be present, at the discretion of his parents, to receive religious education at any time that might be allotted for it. Was that, he asked, a system open to objection, or one to which any conscientious man could object? He believed that he was not wrong in saying that the case of Mr. Woodward was not a solitary case. He knew Protestant clergymen in Ireland who formerly were much opposed to the national system, but who, on further investigation, had changed their minds and are now the advocates of it. In the last report there was a paragraph to the same effect. It was stated that the prejudices which had existed in regard to the national system on the part of the Protestant clergy were fast vanishing, and the co-operation of the Protestant clergy might more and more be looked for, and would be the means of distributing more universally the blessings of education. That was the present state of the system, and what they had now to ask themselves was this—were they to abandon the national and mixed system as it now exists, in order to establish an exclusive system? For conceal the fact as they may, if they once get rid of this national system, and at the suggestion of any body of men, be their objections reasonable or unreasonable, abandon the mixed system of education, they would have to establish separate schools, not only for the Protestant clergy, but also for the Presbyterian and Catholic clergy, and the whole country would be covered with different seminaries supported by the Government, and amongst the children attending the respective schools those religious distinctions would be perpetuated which so often were still unfortunately kept up. He begged to call the attention of the House to an extract bearing on the subject, which he had met with some time ago. In the year 1795, when the debate was going on in the Irish Parliament on the question of the Roman Catholic College of Maynooth, there were several provisions introduced which made it impossible for any person not a Roman Catholic to receive his education there. At that time a petition was presented by Mr. Grattan from the great body of the Roman Catholics in Ireland against the provision which declared that no Protestant should receive his education in the college. The Roman Catholics then said that the exclusion of Protestants would prevent the harmony and friendly intercourse through life which might, by an early connexion between men of different persuasions, be encouraged. No person would be more happy than he should be to see the Protestant clergy coming forward to take advantage of this system, and to exercise that control over it which was proper they should have. He believed the objections to the system were unreasonable—(he did not mean to say they were not conscientiously entertained)—and he believed, also, that a great body of the clergy were willing to consider this system so as to take advantage of it. He did not think they should do away with the present National Board, which had conferred great advantages on the country. He believed it was diffusing widely the blessings of education, and would continue to do so more and more every day. He saw by the last report, that not only literary but industrial education was spreading vastly throughout the country, and it was proposed that agricultural schools should be established to extend the principles of agriculture.

Captain JONES said, if anything in the shape of united education at all existed, it would be found in the schools under the patronage of the Established Church. For his own part he had never offered any objection to their national system so far as it went. Let them establish a system similar to that adopted in England, and so modify their rules as to enable clergymen of the Established Church to take advantage of the grant. If they declined to do that, then they ought to give them a separate grant for themselves.

Mr. GROGAN said, if the prejudices of the Protestants, or of the Protestant clergymen of Ireland, prevented them from taking any part of the grant under present circumstances, they were entitled to have some portion of the grant allotted to them. As a proof of the efforts made by the Protestants themselves, there were 1,899 Church education schools at present established and maintained by the voluntary system, and they were entitled in justice to ask the Government for some assistance. He would maintain, without the slightest fear of contradiction, that as regards the joint system of education, it is to be found in the Protestant schools. Let them not blame Protestant clergymen who could not conscientiously approve of the system, and who were deprived of all chance of patronage and all hopes of promotion in their profession except they abandoned their principles.

Sir W. VERNER did not entertain a doubt that some of the clergy of the Established Church had become converts to the national system; and it was not to be wondered at when they were told by a Lord Lieutenant that if they were not friendly to it he could not give his consent to their promotion. He would mention one case in illustration of the course that had been adopted on this subject by the Irish Government. Some time since, when the Lord Lieutenant of the day arrived in Ireland, an application was made to him to appoint, as one of his chaplains, a clergyman of the highest character. The answer was, that the Lord Lieutenant did not intend to appoint any new chaplains, but would confine himself to the list handed over to him by his predecessor. A short time afterwards, a certain reverend gentleman announced himself in the public papers as the advocate of the National Board of Education, and the then Lord Lieutenant, forgetting his former declaration, immediately appointed him one of his chaplains. The best system of education ever introduced into Ireland was that of the Kildare-place Society, which was abolished solely because it was objected to by the Roman Catholic priests.

Mr. S. CRAWFORD said, that though a large body of the Established clergy were opposed to this national system, he did not believe that their opposition was shared in or countenanced by the great body of the Protestant laity. If that were the case, how did it happen that the national schools were much more numerous in the province of Ulster than in the other three provinces? The proportions were as follows:—Schools in Munster, 940; in Leinster, 976; in Connaught, 553; in Ulster, 1,659. He thought that the system of reading the Scriptures at particular hours had tended to promote Scriptural instruction even among Roman Catholics, by inducing parents of that religion to allow their children to remain, which they often did, in fact, to hear the Scriptures read. He was sorry to have heard that the Government had made adherence to the national system a condition of advancement in the Church. There ought to be nothing like compulsion on either side of the question.

Mr. B. OSBORNE said, as the Motion stood, it was opposed to the religious scruples of Roman Catholic parents, and if carried, it would upset the whole system of mixed education. The hon. Member for the University of Dublin had called for a modification of the system; but it appeared that what he proposed was the abolition of the present Board of Education, and the substitution of a system of separate grants for that now in force. He had not denied that Protestant children were already supplied with as much Scriptural education as the greatest stickler for such education could demand; and, in truth, as in every national school several hours were set apart for Scriptural reading, if Protestant youths did not receive instruction in the Bible, it must be the fault of the Protestant clergy. The effect of passing the Motion would be, to revive the embers of religious strife, which were now dying out. Something had been said about the excellence of the Kildare-place Society system of education. He happened to know that the most extraordinary means had been used to induce parents to send their children to what were called the Kildare-place Schools. Parents had received as a consideration 5*l.* down, 5*s.* a week, and a leg of mutton every Friday. If there were one thing which had done more than another to improve the state of Ireland, it was the mixed system of education introduced by Lord Stanley, founded as it was on the great principle of Protestantism —the right of private judgment. In connexion with that point, he would ask the hon. Member for the University of Dublin whether it was true that he was a subscriber to, and a director of, an hospital in Dublin, the managers of which refused to admit a Roman Catholic, even if brought there *in extremis*, unless he would consent to hear the Scriptures read? On the subject of the national system of education, most extraordinary statements had been made at different periods. There were certain dignitaries of the Church who, to use the language of Mr. Burke, never manifested any particular zeal for religion, except when they desired to wound the feelings of their opponents. The Bishop of Cashel, for example, had stated at the Rotunda in Liverpool—and he had repeated the statement at the Hanover-square Rooms in April last—that at the last Special Commission for Limerick, six men were convicted who had been educated in the national schools. He had also stated that at the Special Commission at Clonmel, eleven were convicted who were young, the greater proportion of whom, he said, were probably taught in the national schools; and, singularly enough, he added, that eighteen were convicted, eleven of whom were educated under the national system. Considering the statement with respect to Clonmel very extraordinary, he (Mr. B. Osborne) had been at the trouble of making some inquiries in the neighbourhood; and he would now state the result. It appeared that in the gaol of Clonmel, no account was kept of the schools in which the prisoners had been educated; and from the inquiries which he made, he had found that, so far from its being true that eleven of the prisoners convicted had been educated in the national schools, only one of them had ever been in a school, and that one only for about ten days. The exemplary Bishop who had made that statement had the presentation to thirty-four very large livings in his diocese, while the Crown had the patronage of only three, one of the number being a mere curacy. Such being the case, the Bishop had not promoted a single clergyman who was friendly to the national system, though there were many exemplary men in his diocese; yet he did not scruple to complain that the Crown did not present the opponents of that system to the livings in its gift. The Bishop had, indeed, appointed Mr. Dalton, the secretary of the Protestant Association of Exeter Hall, who had never received a collegiate education, to a living which was founded for the encouragement of such education. That Prelate, however, did not stand alone. In the diocese of Fearns, where there were forty-four livings in the presentation of the Bishop, not a single friend to the national system of education had been collated to a living. He called upon the House not to sanction a course of proceeding which originated with a miserable faction.

Mr. NAPIER:* I concur in the encomium passed on my hon. Colleague by the hon. and gallant Member (Mr. Osborne), and I am quite sure that whatever cause he will take upon himself to advocate, he will not attempt to carry it by insinuating insult against any gentleman in his presence, or calumniating the absent who cannot reply. But I shall best discharge my duty to myself and to this House by entering upon the present subject in a calm, temperate manner, and thus to imitate that course which has been taken by my hon. Colleague. This, in my opinion, will be a more judicious course than by further allusion to those offensive expressions which have been so unnecessarily introduced into this debate; and I hope I shall be pardoned if I do not choose to stoop to retort those imputations which I can most satisfactorily refute. I shall, therefore, at once go to the real question, and which is not what position the Bishop of Waterford may occupy in the opinion of the hon. Member (Mr. Osborne), nor what he may do in the exercise of his duty as a bishop; but the question is this, whether a body of men comprising so large a portion of the bishops and clergy of the Established Church of Ireland, and so many thousands of the laity of that country—a body of men of the highest character for piety and learning, but a body of men who are now called a "faction"—whether they and their humbler Protestant brethren shall be excluded from a share in those privileges which are granted to all other classes and denominations? They are, to be sure, called a "faction;" but that is a designation which I am sure no sensible man in this House will sanction, and which especially no Member of Her Majesty's Government will, at this time, publicly countenance. To call those men who are actuated by conscientious scruples in favour of the great principle of Protestantism a "faction," was a most unjust charge on the part of that hon. Member; but it was well for them that their conscientious objections were not to be measured by that hon. Gentleman's judgment—their consciences were not in his keeping. As they entertain these objections to the system of national education in Ireland, and as I am now prepared to show that such objections are not only entertained by the majority of the Protestant clergy, but by a large body of the Protestant laity, their conscientious opinions should be respected and fairly considered; all they required was to have a calm and candid consideration of their claims, and I do not apprehend impatience. I have always been heard with great kindness and attention by this House—it has manifested towards me great indulgence, and I trust that the House will now give me their attention while I shall bring under its consideration the subject of the Church Education Society. I hope hon. Members will give me an impartial hearing, and give the subject subsequent reflection; as whatever the result which, in the end, shall be hereafter arrived at, it must be satisfactory to have the whole question comprehensively submitted for future consideration. It is right to premise that we are not necessarily discussing the question whether the system of national education should have been established or should be continued in Ireland, though I conscientiously protest against it so far as the principle of Scriptural education is concerned; but here are two systems of education now existing in Ireland—and what I complain of is, that considering the acknowledged basis of aid for education now adopted in England, that you support in Ireland the one system, and repudiate the other: that while you pay all attention to the conscientious objections of one party, you manifest no deference to the conscientious feelings of the other party, namely, the great majority of the clergy of the Church of Ireland, and a large proportion of the Protestant laity of Ireland. I ask, where is there any deference manifested to the conscientious objections of this large body of Protestants in Ireland? Why not deal out towards them fair, equal, and impartial justice? And surely, in point of fairness and of common sense, if you establish a system of education on certain principles out of deference to the conscientious objections of some, it must be most impolitic and inconsistent with your own principle to pass over the claims of another considerable class of persons, who also entertain their conscientious scruples; and it is upon this ground that I ask your calm and fair judgment. If you have established a system which is objected to as a partial system, as a system that is narrow and unsound; and if we ask you to modify that system so as to extend its benefits to all, are we to be told that we have no right to this fair demand because that there is another class who differ from us? Now what is the result of such a principle? Why it is this, that all who conscientiously object to this system of national education as it now stands, shall be debarred from all public assistance, and thus you confine the public grant to one class, instead of adopting those modifications which would enable you to extend it to all. But you have adopted this latter plan in England—a plan which is founded on the principle of equal justice to all. And how can that principle which is founded on the rights of conscience, and which is esteemed to be a good principle in England, how can that be a bad principle in Ireland? Why should we thus have one system in England, and another system in Ireland? You have yielded in England to conscientious objections, and why not act on the same principle towards Ireland? and in not doing so, you must be either doing what is wrong in England, or you must be acting unjustly towards Ireland. But how did matters stand when this national system of education was first started? And here I must observe, that I did not anticipate any very lengthened discussion on this question at this period of the Session, and that it was rather my intention merely to have given my simple concurrence in what I knew would come from my hon. Colleague, whose sentiments are in perfect accordance with my own; and who, in his statement, has brought the matter fully and fairly before the House, not with the design to throw any obstructions in the way of the Government, but to induce them to have the matter fairly and calmly considered hereafter, before another Session closes. As regards myself, but for the manner in which his statement has been met, I would have been satisfied to have added the simple expression of my concurrence to the statement of my hon. Friend—a statement which, when it goes forth to the people of England, and when they soberly reflect on it, I am fully satisfied that it will have its due influence on them, and that it will find its way to their hearts and to their consciences. But we are charged with bigotry; now, instead of dealing in such clap-trap language, let us discuss this question quietly and calmly upon its merits, and if I urge my observations on sound principles, let them have their due weight; but let us not, as has been attempted to be done, by indulging in calumnies and imputations, lead away the House into topics which cannot tend to any dispassionate conclusion. Now what was the course which was adopted in Ireland before the establishment of the National Board? The practice was, that in every school in Ireland there was a bible class, and all the children capable of reading with advantage took their places in this bible class—so soon as their proficiency in reading qualified them to read with profit, they were advanced to this bible class, in which the Scriptures were daily read. The rule was, that the Scriptures should be read, but everything of a controversial character was carefully excluded, and all catechetical instruction, nor were either the Roman Catholics or Dissenters required to be taught in the formularies of the Church; but that a bible class should exist, that was required. There exists in this country a very large society and a very noble one—the British and Foreign School Society, presided over by the noble Lord at the head of Her Majesty's Government. The noble Lord, the Chief Commissioner of Woods and Forests, in stating the principle of that society, on a recent occasion, said, it was a principle which he held dear and sacred; that "this principle was founded on the entire sufficiency and the universal use of the Word of God." And, I think, I cannot give a better statement of the nature of the principle of the education that existed in Ireland up to the establishment of the National Board in Ireland. The principle is also stated by Lord Stanley in these words:—

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* From a published Report.

> "The determination to enforce in all their schools the reading of the Holy Scriptures without note or comment was undoubtedly taken with the purest motives—with the wish at once to connect religious with moral and literary education; and, at the same time, not to run the risk of wounding the peculiar feelings of any sect by catechetical instruction or comments, which might tend to subjects of polemical controversy."

There is the principle of the whole system that had been adopted previous to that time. The House is aware that, before the Union, there was no effective system of education existing in Ireland. It was subsequently proposed to remodel the parochial system, and to add supplementary schools, into which a new plan of education was to be introduced, leaving the parochial education under the control of the bishops and clergy. There were several Commissions on education. In the report of the Commission of 1812 it is suggested, that the institutions which then existed should remain under their then managers, and that the spirit of improvement already manifested among them should be left to operate undisturbed under the influence of that emulation which the new establishments would naturally excite. The report proceeded thus:—

> "For the purpose of ascertaining more exactly the number of those supplementary schools, for selecting proper situations for erecting and establishing them where wanted, for prescribing the mode of education to be pursued, and for the general superintendence of them, we are of opinion that a board of commissioners, as above mentioned, should be appointed, under the authority of an Act of Parliament, empowering them to receive and dispose of Parliamentary grants for building and endowing schools, to purchase or accept conveyances for the sites of such schools, to decide in the last resort on the appointment, conduct, and dismissal of masters, to prescribe the course and mode of education, to provide for the expense of furnishing books, and to have a general control over the whole of the proposed establishments for the instruction of the lower classes."

And again, on the subject of books, it says—

> "In such selection of books for the new schools, we doubt not but it will be found practicable to introduce not only a number of books in which moral principles will be inculcated in such a manner as is likely to make deep and lasting impressions on the youthful mind, but also ample extracts from the sacred Scriptures themselves, an early acquaintance with which we deem of the utmost importance, and indeed indispensable in forming the mind to just notions of duty and sound principles of conduct."

I have felt it my duty to read these extracts from that report, as it has sometimes been referred to as the foundation of the present system of national education in Ireland. If the claims of the Church Education Society were recognised, there might be some pretence for that suggestion. But it so happened that some question arose as to what was the intention of those Commissioners as to the nature of that report, and, consequently, a correspondence took place between the late Bishop of Ferns, who was the principal person in drawing up that report, and Sir Robert Peel, who was then Secretary for Ireland. It was clearly shown that the principle was to improve the parochial system under the control of the bishops and clergy of the Established Church, and to add supplementary schools on the principles embodied in the report itself. In the year 1825 there was another report from Commissioners on the subject of education, and in which report they express themselves in these words, that they were "deeply impressed with the importance and necessity of introducing the Scriptures into all institutions for the education of the people as a fundamental part of the instruction." Next, there was a third report in 1827, to which I beg to call the attention of the House; and here we have five Commissioners, but two of these five made a separate report, and one of the two gentlemen who made the separate report was a party to the report of 1812; and what is their language?—

> "We feel strongly that the unexampled improvement which has taken place within a short period in the education of the peasantry of Ireland, ought duly to be apprehended, before any of the means by which it has been produced shall be destroyed or endangered. In our second report there

appears 11,823 schools, a greater number than there is to be found in any other country, considering the population. About twenty years ago the Scriptures were not read in 600 schools; at the time of our second report they were read in 6,058 daily schools, and 1,954 Sunday schools. It is further very worthy of remark, that of the 6,058 daily schools in which the Scriptures are now read, only 1,879 are connected with any societies whatever, whether those aided by the Government, or those supported by individual contributions. In the remaining 4,179 schools, the Scriptures have, of late years, been adopted by the voluntary choice of the conductors and teachers, the latter of whom are generally dependent for their livelihood upon the pleasure of the parents of their pupils—a signal proof that there is no repugnance to scriptural instruction among the people, and not less an illustration of the effects silently produced by the example and competition of better institutions upon the common schools of the country; any experiment ought to be considered as an accompaniment to those means which experience had proved to be useful, and not as leading to the suppression of any tried instrument of good."

I feel it most important and most necessary to call the attention of the House to these facts, as it brings before hon. Members, in an authentic form, the state of education in Ireland before the establishment of the system of national education in 1831, and because the all-important fact is thus clearly proved, the perfect willingness of the people to receive the Scriptures, and to attend those schools where the Scriptures were read. But there is another circumstance to which I would call attention, that, in those schools which were kept by Roman Catholic masters, in 2,607 the Scriptures were read, in 2,886 they were not read, in 2,076 no returns were received; and 2,049 schools were in connexion with Scriptural Societies in the year 1831, the very year in which the National Board was established; about 300,000 Roman Catholic children were in attendance in Scriptural schools, and receiving a Scriptural education—that was the state of things in the year 1831. I fully admit that the Roman Catholic clergy, not the people—an important distinction—began at this time to give the most strenuous opposition to Scriptural schools, to those schools in which the Scriptures were read and used. Various efforts were made by the Romish clergy to counteract the working of these schools, and it was stated as the ground of that opposition what I may express in the language of Dr. Murray, the Roman Catholic Archbishop, in reference to the Kildare-place Society: "because it puts forward a principle which we hold to be erroneous, that the Sacred Scriptures be read in all the schools to which it communicates aid." You will observe that the objection was not stated with regard to any particular version of the Scriptures, because the Kildare-place Society allowed the Douay version to the Roman Catholic scholars, and the authorised version to the Protestant scholars, thus anticipating any objection which might be advanced as regards the translation of the Scriptures; for while the rule of that society was that the Scriptures were to be read, they did not at all interfere with the peculiar tenets of their Roman Catholic pupils, except so far as the knowledge of the Scripture might subsequently operate by its own intrinsic efficacy; they gave them the Douay version, but that was objected to on the part of the Roman Catholic clergy; and it is not my purpose on this occasion to discuss, though I cannot but protest against, their right to make that objection. One party says, "The Scriptures should be introduced into schools;" that this is a fair and legitimate principle, as wide and tolerant as the basis of revealed religion, while they avow themselves as not intending directly to interfere with the consciences of the children; and they ask this right on the broad principles of Christianity—on that broad principle which I now ask you to maintain and recognise. But there is another party who say, "We object to the introduction of the Scriptures into schools, and we think you are wrong in requiring their introduction." Here then you have two antagonistic principles or systems—and what have you done? You uphold the one, and you put down the other; by your present conduct you have not applied impartially to both, the general principles of religious liberty, but you have virtually given the preference to one of those conflicting principles, and for that preference you select the one which is opposed to the doctrine of that religion on the principles of which the constitution of this country is settled. I say this, that you should not have made that system which is conformable to the doctrine of the established religion of the country, nay, more, to general Protestantism, the special system for exclusion from public support: if there was to be a preference, that system which you exclude should have the preference; but this existing system of education can be so extended as to include in it all the benefits we ask. These were the two antagonistic principles which laid the foundation of Lord Stanley's policy; and yet while one of these principles, the Scripture principle, is that of the British and Foreign School Society, and which has not only the honour of having the noble Lord as one of its Presidents, but which receives in England grants from the public funds—yet the British and Foreign School Society is conducted precisely on the same principles that were adopted by the Kildare-place Society, and which are now followed out, with a modification in favour of the children of Episcopalian parents, by the Church Education Society for Ireland. So that here we have the British and Foreign School Society in England, which is conducted on the same Scriptural principles as the Church Education Society in Ireland, receiving aid from the public funds, while that aid is denied to a similar society in Ireland, which is also conducted on Scriptural principles. Is that fair? Is that just? I do not want now to occupy the time of the House by entering into those irrelevant matters which were introduced by the right hon. Baronet the Secretary for Ireland (Sir W. Somerville). I freely admit, however, all he has stated as to the great respectability of the Rev. Mr. Woodward. But when the right hon. Secretary states that objections to the national system of education in Ireland are fast vanishing, I must deny that assertion. Had we not nearly 1,600 of the clergy of the Established Church in Ireland petitioning against this system? We have in this Session presented more than 258 petitions from various parishes against this system. This very day I presented fifty-eight petitions from different parishes against it; and previous petitions were presented which were signed by upwards of 60,000 individuals, and 3,000 clergy, and nobility, and gentry of rank. Do such facts prove that the objections to the National Board are fast diminishing? Quite the reverse. If the Government really believed that the objections were thus diminishing, if they had confidence in the system as sound in itself, why is it necessary to call in the aid of the temptations of patronage? Why is it necessary to make it a principle inflexible to exercise their patronage to persuade—to add the "pressure from without" on the Irish clergy, to effect some diminution in the amount of those objections which do exist up to the present time against the National system? And when it was stated by the hon. Member for Middlesex (Mr. Osborne) that some of the bishops, in the exercise of their episcopal patronage, excluded those men who were supposed to be favourable to the National Board, and that they preferred those who were its opponents, that hon. Member was most unfortunate in his selection, as among all the bishops in Ireland he could not have selected men who, in the exercise of their patronage—who, in the discharge of their episcopal duties—are more entitled to the respect, the esteem, and the reverence of every man who knows those prelates. Has he shown any case of the exclusion of a better man than the one promoted? Of one of those bishops, the Bishop of Ossory, I must, as an Irishman, feel truly proud—an honour to that university which I have the high privilege to represent—he is a man whose learning is only exceeded by his sterling piety and love of truth; of unblemished reputation, great literary attainments, clear, calm, accurate and profound; of whom Dr. Chalmers remarked, that Ireland did not produce such a man since the days of Ussher. *Si erro, erro cum Platone.* And as to the Bishop of Cashel, I shall not say more than this—character is a shield against calumny; his character could not be affected by any observation that might be made by the hon. and gallant Member, the Member for Middlesex. But does that hon. and gallant Member suppose that I am to be held accountable for every argument or suggestion which may be put forward when I am present? I would be very sorry should such be the case, for then I should feel it to be my duty to be occasionally absent from my place in this House. It is not my intention to put forward anything which may be deemed offensive to the conscience of any person who differs from me; and therefore I wish it to be understood that I am only commenting on the principles of the two Churches as they are acknowledged, as matters of fact, as they present themselves to our minds, as antagonistic principles; for what I contend for is, that the National Board is founded on the principle of concession to the Church of Rome; it is founded on a principle which is the denial of the principle of the Protestant Church. ["No, no!"] But we say Yes, yes. Our opinion, if not as correct, is as conscientious as that of those who now deny my position. You enable the Roman Catholic priest to have a united education for a mixed attendance of children, at the public expense, according to his principles; but you do not enable the clergy of the Established Church in

Ireland to have what they deem essential —an united education on their principles, and which is the great object that should be accomplished; and this is a point to which I would especially direct your attention, because the National Board, in this view of it, and on the principle stated by Lord Stanley himself, cannot, without modification, become in Ireland a system of general national education. But it has been said, that there could not be a combined system of education on the principles of the clergy of the Established Church. I shall take the converse of that proposition —and here let me refer to one of the rules of the National Board as to religious instruction, and here we are informed, that "they will require that the schools be kept open for a certain number of hours, on four or five days in the week, at the discretion of the Commissioners, for moral and literary instruction only; and that the remaining one or two days in the week be set apart for giving separately such religious education to the children as may be approved of by the clergy of their respective persuasions;" so that here, while the "literary and moral education" is provided for as regards every day, this separate and religious education is excluded from school teaching, and is thrown on some separate day—it is subsequently reduced to "part of a day." But it is not united religious instruction; it is to be on a special day, not a school day, or else it is before or after the ordinary school hours on school days, and confined to such children of Roman Catholics as get permission to attend. But with this religious instruction the Board only interferes so far as to afford the opportunity, or rather not prohibiting out of school hours—they merely afford the opportunity to any persons out of school hours. This is a pretence; for as to what takes place out of school hours, it does not require a rule of the Board to say, people may do what they like. In a part of Lord Stanley's letter, it is stated, that the Kildare-place Society required the New Testament to be read "without note or comment by the children; and that that must be peculiarly obnoxious to a Church which denies even to adults the right of unaided private interpretation of the sacred volume in articles of religious belief"—in fact, that it was a principle contrary to the doctrine of the Roman Catholic Church; then how does the matter stand? The clergy of the Established Church say, that it is their conscientious opinion that there should be no restriction whatever antecedently and expressly put on the use of the Scriptures in the school, during the school hours. That is their opinion; that it is so, is a matter of fact, be it right or be it wrong—that is conscientiously their principle; but it is said on the other side, that that cannot be acted on, without coming in contact with the conscientious principles of the priests of the Roman Catholic Church. Thus you have two sets of men who are opposed to each other on conscientious grounds; they entertain different views, and you cannot please both; you cannot place them on the same identical foundation; and as you cannot select one party, without placing yourselves in opposition to the conscientious views of the other party, why not then do for Ireland as you have done in England? You have very recently granted a share of the public funds to the Roman Catholic body in England; and while you make their schools subject to your inspection as regards secular education, you leave them entirely free as regards religious education—you leave them at perfect liberty to conduct their own schools on their own religious principles; you give them the required grants—you grant stipends for their teachers—you aid them from the public funds, but you leave them free and unshackled as to their religious teaching. There is another subject to which I would wish to refer. According to the original constitution of the national system of education, Lord Stanley says in that letter, which is called the Magna Charta of the Board—

> "Although it is not designed to exclude from the list of books for the combined instruction, such portions of sacred history, or of religious or moral teaching, as may be approved of by the Board, it is to be understood that it is by no means intended to convey a perfect and sufficient religious education, or to supersede the necessity of separate religious instruction on the day set apart for that purpose."

And again we are informed in one of the reports of the National Board, that—

> "Besides works on the ordinary subjects of education, we have compiled and printed two numbers of a series of lessons from the Holy Scriptures, one from the Old, the other from the New Testament; and we propose to go on adding to them, until we complete a copious abstract of the narrative parts of the sacred volume, interspersed with suitable passages from the poetical and didactic parts of it. We proceed on the undertaking with perfect unanimity, and anticipate from the general circulation of the work the best results."

It happened, that when the national system was first established, by reason of the intimation conveyed in Lord Stanley's letter, the objections of many persons against the system which would exclude Scripture, were softened down, on this principle, that they expected that such selections from Scripture might be made for combined education, in which both parties might agree; and so they acted on the adage, "that half a loaf was better than no bread!" Well, extracts from the Scriptures were advertised, as I have said; and all persons were afterwards invited to make application for aid for schools, and they were all led to believe that suitable selections would be made from time to time; but what, after all that intimation which I have read, what now is the case? Why, what were called extracts, were prepared, and for a time used; they certainly appeared very objectionable, erroneous in the text as in the notes; but still, instead of "their general circulation," they are now put in the same category as the Scriptures themselves; the Board have excluded them also, so that there is nothing now to afford any portion of Scriptural instruction during school hours. There are no means on the part of the Board to have religious instruction given to the children, although every facility, as it is said, is given, when the school is broken up, for that purpose, or else before or after school hours, for such as get special permission to attend; and on this subject I have only to refer to the report of the National Board for 1836, in which there is this explicit edict:—

> "As the introduction of the Bible into schools for common education has created much contention and dispute, and prevented a large proportion of the poorer classes of Ireland from sending their children to schools receiving Government aid, it is not to be introduced during the hours set apart for common education, but every facility is to be given for the reading and explaining of the Scriptures, either before or after these hours." —"All books used in the schools during the hours of general instruction, are to receive the sanction of the Board."

But what are the books which have received this sanction? "Those which the Board have already sanctioned, are the school books of the Kildare-place Society;" the books of that society from which the public grants were withdrawn, with the exception of the Holy Scriptures, are the very books used and sanctioned by the National Board of Education in Ireland. I hope the House will excuse me if I trespass on its attention on this point, which I wish to bring out as clearly as I see it myself. I wish to place the subject, so far as I am able, before you in such a way as to prepare you for a mature consideration of it hereafter. If this system of education for Ireland was constructed out of deference to the objections that have been made and urged by the clergy of the Roman Catholic Church, and in conformity with the views of men who conscientiously, we will suppose, opposed the use of the Holy Scriptures in the schools, being at variance with the principles of their Church, and principles which are in opposition to those views that are entertained by the clergy of the Established Church in Ireland—I ask you this, however good the system may be, is it your duty to force it on those who consistently object to it, and thus to do violence to their consciences? Such a proceeding is neither just nor consistent. Is it not an attempt on your part to corrupt the consciences of those who differ from the Church of Rome? Let those who can conscientiously accept the aid which this system, as it is administered, affords, let them take it, and much good may it do them; but on those who do object to the National Board, in its special exclusion of Scripture from united education under its system, do not force its acceptance as the only condition on which public money will be given; and I ask, because they feel themselves compelled not to receive aid on that condition, will you deny them that assistance which they require from the public funds, for giving sound, wholesome instruction to the young population? Because they cannot concur in a system from which they conscientiously differ, are they then to be deprived of all public aid? Allusion has been made to the right rev. Prelate the Bishop of Ossory, as one who is most strenuously opposed to this National Board of Education; and there is no man more capable of investigating truth, or of detecting and exposing sophistry and error; and up to this hour there is no man who is more decided in opinion against the principle of this Board. There can be no more influential opponent to that system, nor one whose authority should carry greater weight, than that eminent and able prelate. Here, then, you have a man who thoroughly understands that system; and if his clear, candid, and penetrating judgment could be convinced that this system of national education that now exists in Ireland was not a system which stands opposed to the great principle of Protestantism, I will answer on his behalf, that his opposition would not exist for one evanescent moment. When such a mind as his is convinced of the evil of this system of education, I do not think it is quite fair to charge the clergy of the Established Church in Ireland with bigotry, because they cannot bring their consciences into tune with the opinions of the hon. and gallant Member for Middlesex, however much they might wish it. In the view of it which they have taken, I can only say for myself, that in that respect I entirely go along with them; for, after the most minute and anxious investigation of this subject over and over again, and having heard and read many speeches and pamphlets on the subject, I continue to differ with those who find no ground of conscientious objection to the national system as administered in Ireland. But it is not necessary you should concur with my view or theirs: it is not the propriety of the objection, but the fact that it is conscientious, which should govern your decision. A large proportion of the clergy of the Established Church in Ireland, and the Protestant laity connected with that Church, ask for a share in the public funds granted for education; but the Government of this country say, "We will give you a share, for this fund is intended to assist education conducted on a comprehensive principle levelled at exclusion; but, if we give you assistance, it is provided only that you assent to the rules and conditions of this system of education which we have framed." But the petitioners say, "We object to this system:" the reply, however, is—"No matter; if you concur with us—if you go against your conscience you will get help—if you do not, you will have no assistance, you will get nothing—if you violate what you know to be your conscientious opinion and paramount duty, you may then look forward to the certainty of aid, and the prospect of Government preferment—you may then reckon on having a full shore in the public grant; but if you obey the dictates of your conscience—if you act according to your judgment—if you concur in opinion with some of the wisest and the best of men, you shall have no assistance from us; but, on the contrary, you will be abused or ridiculed as bigots by certain Liberal Members of this House—that will be the reward of your conscientious scruples." And such is the manifest result to every Irish clergyman and to every Protestant layman who opposes this system of national education; so that, while we see the Roman Catholic clergy permitted to carry out their conscientious views, and Dissenters allowed to carry out their views—we see the clergy of the Established Church stand before us in the anomalous position which I have described. I put this to the House—I put it to every Roman Catholic—I put it to every Dissenter—I put it on the principle of common sense—I put it on the principle of common equity and of common justice—are you to have several sects in Ireland to all of whom you give what they require, and you give to all these on the principle of allowance for conscientious objections, while there is one body of men who have also their conscientious objections, but which you refuse to recognise. There are certain parties, all of whom profess to have conscientious views, and you protect them in those views; but there is one party who are to remain behind, and they are to be disregarded; and in alluding to that party, I need not now dwell on their faithful loyalty and manly moderation at the present crisis in Ireland; I speak of the loyalty of the Protestants of Ireland—that faithful body of whose value and importance in Ireland, to England and British connexion, the noble Lord at the head of the Government cannot but be conscious—is that body of men which comprehends so many of the bishops, the clergy, and the laity of the Established Church in Ireland—are they to be neglected?—are their conscientious scruples—are their views to be disrespected—are their claims to be disregarded? Meet those men, I say, on the principle of conscience and of equity, and do not deny to them that which they rightfully and soberly demand. They should be respected—and an honest man and an upright statesman will always respect the *bonâ fide* objections of such a body of men; and it is because of the *bonâ fide* objections of these men that they cannot participate in the benefits of this system of education: thay believe it to be a bad system, and therefore, believing this, I ask you, why should you refuse them that assistance which they see granted to every other class in their country and in England? And suppose it had been the case that, under all the incentives and temptations, some of the clergy struggled to look favourably on the National Board, this is no argument in favour of its principles; for, as a matter of fact it is notorious, numbers, out of their reduced incomes—reduced in a manner of which English

Members can have little notion—liberally gave in aid of their Scriptural schools: they would rather act according to their principles, though to their great embarrassment in supporting their families, than violate their consciences by accepting aid from a Board of whose principles they could not approve. Is it right to continue this system of injustice—which must, if it be persevered in against these faithful men, make them feel that their case alone was not to be considered; and that there were parties to be found in this House who refused them that protection and assistance which they so well deserved? I ask, in common fairness can you deny to these what you have given to others far less deserving? Can you deny to them that share in the public grant which is vouchsafed to their fellow-subjects? Or do you think it more consistent to go on in a line of policy which can only, if successful, ultimately corrupt and injure their minds—for if they are—as they are—conscientious in their views, it must be doing violence to those conscientious feelings to submit to a policy which must peril their usefulness. The whole, as it appears to me, comes to this—that if you thus persevere to make the system of national education in Ireland successful, as a national system, you will do so by corrupting and degrading the clergy of the Established Church in Ireland; and by corrupting the clergy, if you succeed, you destroy their character and usefulness; and if the character of the clergy be thus lowered, their labours or their example cannot be useful to society. This is a question of principle. As regards the clergy of the Church of Ireland, in any system of education, the position which the Bible is to occupy in that system, is with them a matter of primary consideration. I admit, with the hon. Member for Middlesex, the great principle of Protestantism is founded on the right of private judgment; but to what is that right of private judgment to be applied? The right of private judgment in Protestantism is the right of every man freely to appeal to the Word of God: that is the soul of religious liberty, and when we have got that right, civil liberty and every other right follows in its train. For where there is that religious liberty to appeal to the Word of God, and not asking man to believe anything but what his honest convictions lead him to receive, as in accordance with that sacred word, that is the genuine exercise of private judgment, and that is the inalienable birthright of every subject of a free constitution. But the Protestants of the Established Church in Ireland say that you ask them to consent to a system of education of which they disapprove, and in doing so you punish them for their honesty; and I will show you that such is the case. You will find that the National Board itself, in its report for 1837, has recognised these conscientious objections. The Lord Lieutenant was so satisfied of their existence that he sent back to the Commissioners of the National Board the rule as to "Religious Instruction," to see if they could make it square with the views of those who were "conscientiously opposed" to it. The Commissioners say—

> "Having received your Excellency's permission to revise our existing rule as to religious instruction, we have anxiously considered whether we could effect such an alteration in the letter of it, without violating the principle, as might satisfy any of those who have been hitherto conscientiously opposed to us."

The Board then admits that the opposition was conscientious, for they use these words—

> "Without violating the principle, as might satisfy any of those who have been hitherto conscientiously opposed to us."

And how did they alter that rule? In the letter, not the spirit and principle, although the conscientious objections were made to the principle only. But the occasion is used to carry out more banefully the principles of the Roman Catholic clergy, for the rule is now framed thus:—

> "That no child shall be required to be present at any religious instruction or exercise of which his parents or guardians may disapprove,"—to "which they may object."

This pretends to deal with the parent, to cover the coercion of the priest. I shall call the attention of the House to certain answers which had been given by Dr. Doyle in his examination before the Committee of the House of Lords:—

> "If I found that the London Hibernian School was one where the rules were strictly adhered to, and that the Catholics were desired not to suffer children to frequent it, yet did so, being apprised of their danger, I should think it proper to withhold the sacrament from them when dying.
>
> "Need there be in the schools any other sumbling-block than the Scriptures being read and got by heart?—There need not.
>
> "It is enough if the Bible is read there without note or comment?—Yes, that is quite sufficient in order to make such schools obnoxious to us."

Here we have it "that no child shall be required to be present at any religious instruction or exercise of which his parents or guardians may dissaprove;" so that, if the parents object, (and this has been interpreted practically, unless the parent expressly permit,) this instruction cannot be given, unless approved by the priest, for by the principles of the Church of Rome, as expounded by Dr. Doyle, the clergy of that Church will deprive them of the sacraments of that Church should they attend at school where the Bible is used for the mere purpose of being read and understood, after the priest has directed them not to be present. How then can you get these poor people to consent to their children attending any religious instruction or religious exercise? The parents will of course be compelled to object whenever it is known that the objection must be submitted to, under the charter of the school: but that objection will in reality be in most cases the mandate of the Romish clergy, and not the free wish of the poor peasant; for the experience of all good men acquainted with Ireland is this—and I can in some degree personally confirm it—that the Roman Catholic population are by no means unwilling to have the Scriptures—quite the reverse; that the opposition to the Scriptures arises from the priests and not from the people. Remember the report of 1827 which I read to you; for even in schools which were taught by Roman Catholic masters, and paid for by the parents of the pupils, and when we had no national system, the Scriptures were generally read. But as to this question of religious instruction; suppose that a school of the Church Education Society were placed under the National Board, and that there were some Roman Catholics in attendance—suppose but one, and that the priest objected to that child being present at any religious instruction, or any use of Scripture in combined education of the children—the education must either cease to be united, or it must cease to be Scriptural; and I defy any ingenuity to evade this alternative. Is the Protestant clergyman to assist in carrying out a principle which, in his opinion, would be a most unrighteous one, as it would make that which ought to be a combined education a disunited education, and that which ought to be Scriptural, a secular education? and thus it would destroy the whole character of what ought to be the great object of all daily instruction—to promote good-will, and not discord—Scriptural morality, and not merely secular knowledge. I assure the House that my wish is to argue this question on its true merits, and to state opinions fairly. We say this system is founded on an unrighteous principle, and that we are bound in point of conscience, whatever the Government may think fit to sanction, to seek its modification to include our case. Because the Government concur in it, that will not justify us; and if the Government think they can make the clergy of the Church in Ireland accept money from a Board which carries on a system that practically prevents the Roman Catholic children attending schools where the Scriptures are read, or when they are read, or at all referred to, they may be assured that money will not be taken on any such terms. We will not do so, because in doing so we would only be compromising our own principles by our adhesion to such a system. Here is the fallacious form of the rule of the Board:—

> "We therefore propose modifying the letter of the rule, so as to allow religious instruction to be given, and of course the Scriptures to be read, or the Catechism learned, during any of the school hours, provided such an arrangement be made as that no children shall take part in or listen to any religious reading or instruction to which their parents or guardians object;"—

which is, I have already observed, a practical denial of a Scriptural instruction to the children of Roman Catholic parents, however artful may be the form in which that denial is embodied. From this you must at once see what would be the effect, if the Church Education Society would place their schools under the National Board: education bottomed on Scripture, or true religion, could only be given at the will of the priest; another form of saying it could not be given at all. See in what a position you would place the Protestant clergyman; and how then could he stand out for the principles he holds paramount? And this is the position he places himself in, by joining the National Board. The man who does so, to use a military illustration, surrenders up his sword, and that he does, if he consents to having the use of the Scriptures at all restricted, at the will of the priest, during any portion of the hours of united instruction, when all the children are in attendance in the school. His sword may be in the scabbard, but it is not to be delivered up under any circumstance whatever. But, besides the principle involved in reverencing the Scripture, we are not to consent to the Roman Catholic clergy regulating what should be the character of a united education in the schools of the Church Education Society, whether it should be Scriptural or secular. I beg to call your attention to some of the rules of the National Board, under the head "Religious Instruction:"—

> "The readings of the Scriptures, either in the Protestant authorised or Douay version, as well as the reading of Catechisms, comes within the rule as to religious instruction. The rule as to religious instruction applies to public prayer, and to all other religious exercises."

Is that the way, I would ask, to promote a united instruction? But the truth is, there is no provision made by the Board for "religious education." Again:—

> "The Commissioners do not insist on the Scripture lessons being read in any of the National Schools, nor do they allow them to be read during the time of secular or literary instruction, in any school attended by children whose parents or guardians object to their being so read. In such case, the Commissioners prohibit the use of them, except at the time of religious instruction, when the persons giving it may use these lessons or not, as they think proper. Whatever arrangement is made in any school for giving religious instruction, must be publicly notified in the school room, in order that those children, and those only, may be present whose parents or guardians allow them."

Is this a provision for imparting a religious education? But I shall now refer to what Mr. Carlile says on this subject in his evidence.

The following evidence was given before Parliament by the Rev. James Carlile, one of the Commissioners:—

> "Do you consider that the Board contributes nothing to the separate religious instruction beyond the school house?—Nothing whatever.
>
> "Are there any school books and other means furnished towards it by the Board?—None whatever.
>
> "In the time set apart for reading the Scriptures or for religious instruction, do you consider the National Board directs or controls the instruction at all?—Certainly not.
>
> "What provision do you make for seeing that the day set apart for religious instruction shall be devoted to that purpose?—We make no provision whatever.
>
> "Is the Board considered to employ the schoolmaster to give that separate religious instruction; or is he employed by other parties?—We employ no one to give the separate religious instruction.
>
> "The schoolmaster may give the instruction, but the Board do not require it?—Certainly.
>
> "It would be open to him to refuse the application from the parents to give such instruction on that day?—Certainly.

Look, now, at the constitution of these National Schools. You have all the children brought together for common education; but the moment the subject of religion is mentioned, that very moment all must separate. The children may be all assembled in harmony, but they cannot pray together—they cannot read God's Word together—they cannot kneel down together—as children of one God and Father. No reference can be made to one Scripture rule of religion; not one whisper about God or His Word can be muttered—that would be the signal for separation; and you call that a united system of education—a united system, which will keep the children in harmony. A reference was made to Trinity College, Dublin; but all that was said about that University was in the absence of argument. What, I would ask, is the oath which is taken by a Fellow of that University? I shall read it:—

> "Ego G. C. electus in numerum Sociorum hujus Collegii, sanctè coram Deo profiteor, me, sacræ Scripturæ auctoritatem in religione summam agnoscere, et quæcunque in sancto Dei verbo continentur, verè et ex animo credere, et pro facultate meâ omnibus opinionibus, quas vel Pontificii, vel alii contra sacræ Scripturæ veritatem tuentur, constantèr repugnaturum," &c.

Is it, I ask, the principle of the National Board to recognise the high and sacred authority of the Holy Scriptures, and to oppose every doctrine that is repugnant to them?—constantly to oppose, to the best of their ability, those opinions which are against the truth of that sacred word?—but it is on that very principle that the whole system of the Established Church in Ireland is based; on that great principle it is constructed. It is, however, true, that by the Act of 1795, Roman Catholics can go to the University, and they can graduate there after receiving a University education; but still the whole principle of the system is essentially Protestant in its fullest integrity. No antiscriptural condition is forced upon any of those who are on the foundation. It is most tolerant, I admit, and as generous as is consistent with the integrity of Protestant principle; and I can truly say that I have known Roman Catholics educated there, with whom I have lived on terms of the kindliest intercourse. The true way to benefit the population is, to infuse into their minds those fundamental principles of revealed truth which will dissipate that darkness in which all colours are alike. They are also alike when blended in the beam of meridian light. Our unity is of the light of a common revelation—our opponents, in its absence; and I can say, as regards the system of education that is pursued by the Church Education Society, that the people have the fullest confidence in the candour and integrity of our clergy, that no attempt will be made to proselytise their children beyond the intrinsic influence of simple knowledge of Scripture. I may say, in Trinity College the opportunities of the tutor are never used to proselytise. I say, that whilst there is no antecedent restriction on any tutor as to any religious instruction or use of the Scriptures, there is no attempt made on the part of the tutors to proselytise—this has been always conceded—they take no advantage of their position for any such purpose; and so it is also under the Church Education Society. The great object is to carry out the system in all its comprehensive integrity; and I ask, are these the men who should be designated a faction? This society began in the year 1839, and the amount of its subscriptions during the last year, though a time of severe pressure on all classes, was 40,398*l*. I shall read the progress of this institution:—

In the year 1839 the subscriptions amounted to	,,	,,	£8,464
,, 1845	,,	,,	39,484
,, 1847	,,	,,	40,398

A similar increase has taken place in the number of pupils; and their schools instruct at present 116,968; and the pupils are as follows:—

Episcopalians	57,633
Dissenters	14,697
Roman Catholics	44,638

There you have a *boná fide* society, and united education; it is composed of some of the wisest and the best men; the system those men sanction they conscientiously carry out; they believe that Ireland to be benefited must be Scripturally instructed; that the lower classes should be trained up in the knowledge of their duties, so as to become useful members of society; that they should be taught a code of clear morals—that honest uncompromising morality which is based on Divine revelation; for, to use the language of a great man, if obedience to the will of God be necessary to happiness, and the knowledge of God's will be necessary to obedience, to withhold that knowledge is to obstruct that happiness. What we want is, to be enabled more fully to promote and to extend sound education in Ireland, and to do it consistently with our avowed principles; to modify the national system in such a way as to meet the objections which are entertained by a large proportion of the Protestant clergy and laity of the Established Church; and what, may I ask, is to prevent this being done? Money is granted to schools in England on the principle on which we ask it: we will subscribe so much, and let us get so much out of the public funds, and that will be the best test of our sincerity, as well as of our energy. We ask you to modify your system, that it may not be in opposition to our conscientious scruples. By granting this fair demand, I can affirm that you will do more to promote good feeling in Ireland—you will do more to assist the cause of united education, and to combine men in advancing the true interests of that country by the performance of common duties—than will be effected by indulging in this House in unseemly personalities, as an answer to a just and fair request, submitted honestly to your calm and deliberate consideration.

LORD JOHN RUSSELL said: Sir, if I do not enter at any length on the present occasion into this question, I am sure the House will readily perceive the reasons why I decline to do so. This is a system which, as the hon. and learned Gentleman who last addressed the House has truly stated, was established by Lord Stanley in the year 1832. It has, since that time, received the support of successive Governments. Having been established by Lord Stanley, it was continued by the Administration of Sir Robert Peel, who refused to make any alteration with respect to those grants, and it has gone on to the present time constantly increasing in the number of its schools and of its scholars. There had at first been at the utmost 100,000 scholars attending the National Schools in Ireland, while there are now upwards of 4,000 schools, and upwards of 400,000 scholars. This is not, therefore, to be considered, as some Gentlemen who spoke to-night appear disposed to consider it—this is not to be considered as an entirely new question, or a proposal now brought forward for the first time by the Government. It is a system which, having been first proposed by Lord Stanley as an experiment, has been found more successful than could have been expected—has extended itself very widely in Ireland—and has been of very great use in that country. Under these circumstances, I say that we have a *primá facie* ground for resisting a modification or an alteration of the system. The hon. and learned Gentleman has said that before the adoption of the plan of Lord Stanley, there existed a Kildare-place Society, which went on the principle of introducing the Bible as a school book, without note or comment. He has said very truly that I am one of those who in this country approve of such a system, and that I belong to a society which takes that rule as its basis. I entirely agree with the hon. and learned Gentleman upon that point. I think that in a Protestant country, where the great majority of the people are Protestants, it is of the greatest benefit to be able to found your school system on the teaching of the Bible, and that the Bible should in such case be used as a school book. But in that opinion I am opposed by a majority of the clergymen of the Church of England, who maintain that that rule is by no means sufficient, but that it is necessary to add the Catechism and attendance at Church to that system. And, therefore, however the hon. and learned Gentleman and the Church Education Society may approve of that plan, it is the plan of which the majority of the ministers of the Church of England in this country do not approve. But as it happens that the plan of which the majority of the ministers of the Church of England approve in this country—namely, that of having the Liturgy read and the Church Catechism taught—excludes Protestant Dissenters, so the plan of which I approve here, if adopted in Ireland, would exclude the greater portion of Roman Catholics of that country. Now, I am for that plan which is in practice the most comprehensive. If I find that what I consider the best system of education should be extended to the whole population, I should adopt that system; but if I find that in practice such a system cannot be adopted owing to religious differences, I then take the system which, although less good in itself, will yet be of service to numbers who would be excluded from the operation of a better system. The principle on which I am disposed to act, is that of doing the most good. The hon. Gentleman who introduced this Motion, and the hon. and learned Gentleman who has just addressed the House, talked much of a violation, of conscience under the system of education at present adopted in Ireland. Now let us consider what that system is. Roman Catholics say that according to the rules and discipline of their Church, they could not approve of the Bible being read as a school book. I need not notice the particular grounds on which they urge that position; they are grounds, as everybody knows, which are consistent with the doctrines of the Roman Catholic Church, and to which no one who is acquainted with those doctrines can object. That being the case, the principle on which Lord Stanley founded his system was this —that while it should be competent to patrons of schools to introduce the Bible, it should not be competent to them to enforce it as a school book during the hours in which school instruction is given to all the children. The plan is fully laid down in one of the reports of the year 1841, in which it is stated, that patrons possess the right to have the Scriptures used for instruction in whatever way they may think proper, provided the schools be open to all who are not disposed to assist at the reading of the Bible, and provided no child is compelled to attend to any religious instruction to which his parents and guardians may object. That is the principle on which those schools rest; and I submit that it is by no means a violation of conscience, for while it affords the children the means of receiving any religious instruction of which their parents may approve, it only provides that other children whose parents may disapprove of that instruction shall not be obliged to assist at it. The hon. Gentleman says it is a violation of conscience to clergymen of the Church of England and to many Protestant parents, that such latitude should be allowed. But it appears to me that that is not such a violation of conscience as would result from obliging a parent to send his child to receive a religious instruction of which he disapproves, or else debarring him altogether from receiving any education. I may illustrate what I mean by what occurred in France in the time of Louis XIV. The Protestants of France then said it was a violation of conscience to prohibit them from attending Divine worship and receiving religious instruction according to their own faith. This was a violation of their conscience, of which, I think, they had a right to complain. Louis XIV., on the other hand, said it was a violation of his conscience to allow any Protestants to receive religious instruction, or even to live in France; and he, therefore, confiscated their properties, and drove them into exile. That was manifestly a violation of conscience; but the phrase "a violation of conscience" is used in a totally different sense when Protestant clergymen say that it is a violation of their conscience to allow schools to receive public aid unless the Roman Catholic children should be compelled to receive religious instruction from them. It is for that reason that I cannot think the members of the Established Church have a right to object to this system. They have certainly a right to say that, disapproving as they do of the system, they will not promote or allow the attendance at the schools of any children belonging to their communion, although I think that they would be wrong in taking that view of the matter. I certainly am glad to see that so eminent a person as Mr. Woodward has changed his opinion on the subject. But it is perfectly competent to clergymen of the Established Church to say that they will not favour attendance at those schools, and I cannot object to their so doing. What I object to is, that they should oppose a grant of public money to others who see no objection to those schools, and who think they can be carried on without any violation of conscience. I must notice one point to which the hon. and learned Gentleman referred. He said, that not only was the Bible excluded from the National Schools as a school book, but that the Scripture extracts which in the year 1832 were recommended by Protestant and Roman Catholic archbishops, and other dignitaries of both Churches, and now enforced as school books—that is, that so long as they were employed as school books, we used to have speeches in this House, Motions in the House of Lords, and denunciations all over the country, to the effect that the Bible was mutilated—and that the mutilated Bible was forced, as a book of instruction, on the children of Irish parents. In order to remove that objection, the Commissioners determined that they would no longer enforce the reading of these extracts, and that although they believed the extracts were fairly made, and were calculated to convey useful instruction, they would not insist on their being used in the Irish National Schools. Under these circumstances, I think it is hardly fair on the part of the hon. and learned Gentleman to argue, from the fact of those extracts being no longer used, that the supporters of the system care little for religious instruction. I admit that the hon. and learned Gentleman discussed the question very temperately; but I think it hardly fair that he should make it a ground of accusation against us that we have yielded to objections made by the right rev. Prelates and other distinguished personages. But then it is said, why not have a separate grant for schools connected with the Church of England, to which the members of that Church could send their children? Now that is a very plausible proposal; and if it could be adopted without doing a good deal of mischief, it would seem conformable to the system adopted in England. But the present system having been adopted as a national one, and having appointed the Archbishop of Dublin and others to conduct that system, I am afraid we could not admit of any grants in favour of Church schools without seriously injuring the national system we have established. I think the Archbishop of Dublin and others would be placed in a situation they could hardly hold if the proposal in question were adopted. I believe the result would be, that those who did not maintain the Church schools would come to be looked upon as not being good Churchmen, and the present national schools would in the course of time, become exclusively Roman Catholic, instead of being places for the combined education of Roman Catholics and Protestants. I think there was a good deal of reason in what was said by the hon. Member for Rochdale, that we must consider that the Protestant Church in Ireland is an endowed Church, and that the Protestants of Ireland have the means, if they think proper, of separating from the present combined system, and forming schools by subscription for the exclusive education of their own members. The hon. and learned Gentleman has shown that large subscriptions have already been raised for that purpose. I am sorry that any Protestants should have thought it necessary to withdraw their countenance from the national schools; but if they cannot conscientiously join in the support of those schools, I am glad they have created another system. I should certainly, however, feel very great difficulty in agreeing to any grant for the maintenance of the Church of England schools in Ireland, while we have the present combined systems of education in that country. I believe a similar proposal was made to the Government of the right hon. Baronet the Member for Tamworth, and that he declined to carry it into effect. I suppose he felt that he could not with propriety adopt it. The right hon. Gentleman referred to a subject connected with the present question, but not immediately belonging to it. A charge has been made against the Lord Lieutenant of Ireland, that Church patronage in that country is given only to those who favour the system of national education. Now, I really cannot but think that there was great truth in the statement of the hon. Gentleman the Member for Middlesex, that the greater portion of the Church dignitaries of Ireland are opposed to that system; and it certainly appears to me that as the Government wish to see the system of combined education flourish, and as they see there are many excellent and enlightened clergymen who have no chance whatever of promotion from the opponents of that system, it certainly appears to me that the Government is quite justified in favouring those men in its distribution of the Church patronage at its disposal. I believe it would be wrong absolutely to exclude from the Church preferment men of piety and learning who may object to the national system of education; but I am ready to defend the conduct of the Irish Government in preferring to the enemies of that system those clergymen who are its friends and supporters. It should be remembered, that those parties are exposed to great obloquy, and are obnoxious to the charge of acting in opposition to the conscientious views of the body to which they belong; and it requires a good deal of strength of mind and courage to support that obloquy. Many distinguished clergymen have, however, thought that the system is a useful one. For my part, I believe that a system which has now for sixteen years gone on increasing—which was set on foot by Lord Stanley, which was carried on by the Governments of Lord Grey, of Lord Melbourne, and of Sir Robert Peel—which tends to unite Roman Catholics and Protestants—and which, were it not for those unfortunate prejudices of many clergymen, would tend still more to unite them —for my part I believe that such a system is worthy of the continued support of this House; and I should much regret any vote which would impair its efficiency and undermine its usefulness.

Mr. HUME said, that having originally approved of the system, having watched its progress from the beginning, and having lately paid considerable attention to its working, he had no hesitation in saying that he thought it one of the best things that had ever been done for Ireland. He could not help, therefore, expressing his deep regret to find it opposed by men of character and station, and especially by clergymen, whose duty it was to promote concord and peace. The hon. and learned Gentleman had asked why they should not adopt the same system in Ireland as they had in England? In answer to which he begged to say, that of the two systems that in Ireland was undoubtedly the best; and that if any change was necessary, it was in the system in England, not in Ireland. He hoped there would be a division on this question, just to prove how few hon. Members supported the Amendment.

Mr. G. A. HAMILTON begged to explain the circumstances connected with the hospital to which the hon. Member for Middlesex had referred. The hospital in question had been established in Dublin nearly 10 years ago, and was called the Adelaide Protestant Hospital. It was built by Protestants exclusively, with Protestant money; and the object was not merely to supply medical and surgical relief, but to administer religious consolation to the patients. This latter provision, of course, practically excluded Roman Catholics; but there was nothing in the rules which excluded them.

Mr. REYNOLDS was astonished to hear from the hon. and learned Gentleman that there was no attempt on the part of Protestants in Ireland to proselytism, for every body was aware that at Trinity College no office of emolument was conferred upon any man who was not a Protestant. While professing to be a national university, it, in a country containing 7,500,000 of Catholics, 500,000 Protestants, and 500,000 Methodists and other Dissenters, declared that none but those who professed the Protestant creed should receive any emolument from it. Its income was 100,000*l.* per annum, and yet from the office of hall porter to that of Senior Fellow none were eligible but Protestants believing in the Thirty-nine Articles. A Roman Catholic might be a sizer, without a religious test; but when his four years of study were expired he was told that he must leave the college, for he was not qualified to be a candidate for any collegiate honours without receiving the sacrament according to the ritual of the Church of England. He might be told that Roman Catholics had been professors of languages in the university. But why? Because no Protestant could be found qualified to fill the office.

After a few words from Mr. Newdegate in favour of the Amendment,

The House divided on the question that the words proposed to be left out stand part of the question:—Ayes 118; Noes 15: Majority 103.

List of the Noes.

Burrell, Sir C. M.
Dick, Q.
Grogan, E.
Gwyn, H.
Henley, J. W.
Hood, Sir A.
Jones, Capt.
Mullings, J. R.
Newdegate, C. N.
O'Brien, Sir L.
Seymour, Sir H.
Spooner, R.
Verner, Sir W.
Waddington, H. S.
Walsh, Sir J. B.

TELLERS.

Hamilton, G. A.
Napier, J.

House in Committee of Supply. Several votes agreed to.

House resumed, and adjourned at Two o'clock.

HOUSE OF LORDS,

Tuesday, August 22, 1848.

Minutes.] Public Bills.—1ª Sugar Duties; Controverted Elections; Wolverhampton Curacy.

2ª Commons Inclosure (No. 2); Poor Removal (No. 2); Parochial Debt and Audit.

Reported.—Stock in Trade Exemption; Out Pensioners.

3ª and passed:—Assessionable Manors Commissioners (Duchies of Cornwall and Lancaster); Turnpike Acts Continuance; Steam Navigation; Parliamentary Electors; Poor Law Union District Schools; Militia Pay; Tithe Rent Charge, &c. (No. 2) (Ireland).

Petitions Presented. From Clergymen of the Parish of Manchester, against the Present Ecclesiastical Law.—From the Baptist Congregations of Burton-on-Trent, for the Discontinuance of Grants of Money for the Temple of Juggernaut, &c.—From the Electors and Inhabitants of Bewdley, against the Passing of the Corrupt Practices at Elections Bill.

THE SLAVE TRADE.

Lord DENMAN rose to move—

"That an humble Address be presented to Her Majesty, praying that Her Majesty will be graciously pleased to give Directions for the Enforcement of all Treaties with Foreign Powers for the Extinction of the Slave Trade on the Coast of Africa; and for the Prosecution of all British Subjects, either at home or abroad, directly or indirectly concerned in violating the Laws against that Crime; and that Her Majesty will be graciously pleased to take into Her serious Consideration the Expediency of concerting Measures with her Allies for declaring Slave-trading Piracy, with a Punishment less severe than that now incurred according to the Laws of Nations for that Crime."

The noble and learned Lord said, that he must ask their Lordships to bear in remembrance this proposition, that the slave trade was one of the worst of human crimes; the most daring violation of the laws of God and man—prompted by the basest motives, productive of the greatest amount of suffering to its victims, and that it most effectually prevented the progress in civilisation and happiness of a very large portion of the human race. It had, therefore, been declared to be a crime of the deepest dye, the perpetration of which the negro might lawfully resist, and in which resistance all others were perfectly justified in aiding him. This proposition it was necessary to repeat, because there existed a strong interest to make men forget it; but quite unnecessary to prove by any arguments, for he might rest entirely on the authority of all the civilised world, of France, of America, and of England. On a late occasion the House of Commons, in full accordance with this principle, determined to consider the best means of providing for the extinction of the slave trade, and appointed a Committee with that object; taking it for granted that the trade was to be extinguished, and that the only question was, what were the most effectual means of accomplishing its extinction? He must own, however, that there was something ominous to him in the recommendations which were made by the hon. Gentleman who moved the appointment of that Committee, and who afterwards, as Chairman, presided over the inquiry; for a preconceived opinion had been most distinctly stated by the hon. Gentleman on one of the most important subjects to which it could be directed. The opinion was, that all attempts at suppressing the slave trade on the coast of Africa had entirely failed; and not only so, but had occasioned a great aggravation of the evil. The noble and learned Lord here referred to *Hansard* * for the opinion of Mr. Hutt, who said, "If asked what he would do with the slave trade, he would say, without reserve, 'Leave the slave trade to itself;'"—and he assumed, before entering on his functions, that the squadron ought to be recalled from the coast of Africa. He had even seen that hon. Gentleman's claim to public confidence rested on this very opinion, said to have been long entertained by him. It was hardly to be expected, that under such circumstances the subject would undergo a perfectly fair and impartial investigation. Two propositions were put forward as decidedly conclusive against the continued maintenance of our squadron on the coast of Africa. One of these was, that the means employed for the extinction of the traffic had proved ineffectual; but upon that the Committee did not come to any resolution. They were unable to make up their minds with regard to it; and notwithstanding the preconceived opinion of the hon. Chairman, and notwithstanding the course of examination of witnesses which was adopted, and which showed that that opinion was shared by many Members of the Committee, still they had not the courage either to come to a resolution of that kind in Committee, or in the House of Commons, to refuse to vote the amount which was necessary for the continuance of the squadron. The second proposition was, that our attempts to put it down had done more harm than good, and had had the effect of greatly aggravating the horrors of the trade. He (Lord Denman) would undertake to disprove both these assertions. Their Lordships and the country were compelled to resort to the report of the evidence taken by the Committee for the purpose of obtaining facts. He (Lord Denman) thought it of the highest importance at the present moment, that the mind of the country should not be perverted on this vital subject; that it should not forget all its former aspirations and convictions, and sink into a state of apathy and indifference, or rather give its approval to the slave trade—a result which would be alike disgraceful to the country, and injurious to the interests of humanity. Yet no one could be blind to the great efforts that had long been making in the public journals and other publications, to bring the public mind into that state of torpor which would tolerate the enormities of the slave trade; and he was anxious to appeal to the great power of the press to lend its talents and influence to a comprehensive view of the whole question, instead of creating erroneous impressions by partial statements and fallacious extracts. He believed that the slave trade could be suppressed by such means as we had hitherto employed; and, what was more, that it had to a great extent been suppressed on various parts of the coast of Africa. True, it was not extinguished; but it had been discouraged and depressed in particular quarters, and had not been able to lift up its head with the same effrontery as it had done before those measures were resorted to. The infamous traffic had been suppressed in the river Quorra, in the Bonny, and also in the Gambia; and he found that, instead of the 12,000 negroes who were formerly exported to Cuba every year, the number had dwindled down to 1,000 in the year 1845. The exportation to Brazil was also materially and gradually reduced. But at the very lowest point of its depression an unfortunate circumstance had tended greatly to increase the trade. The opinion of a learned officer of the Crown had been somewhat unguardedly expressed, which appeared to throw doubt on the legality of the measures adopted. The Foreign Office have communicated that opinion to the Admiralty; and it was filched by some ally of the slavetraders, and despatched to the Coast. A report was circulated in Africa, that a revolution had taken place in England; that Lord Palmerston had been sacrificed; and that the House of Commons intended to revive the slave trade. The discouragement to the officers employed may be easily conceived, from the apprehension that their vigorous measures were not sanctioned by their Government, and that they might be made liable to heavy damages for the faithful discharge of the duty entrusted to them. But, had the blow which those officers struck been followed up, he believed the trade would have been annihilated ere this. It had been admitted that, in 1843, the slave trade was considered to be a losing concern in Brazil; and the evidence of Mr. Cliffe, a good authority on the subject, and who was examined before the Committee, showed that it was abandoned by many persons in despair, because they thought the Government of England was sincere in the resolution to put it down; but when they saw reason to doubt the sincerity of the Government of England, then it was that the slave trade revived with accumulated vigour. He would now direct their Lordships' attention to the statement that the squadron had tended to aggravate rather than to diminish the horrors of the trade. If it could be made out clearly that all our efforts had been futile and injurious, the argument for abandoning them must prevail; but he thought the proof had utterly failed in that respect. Why was this imputed? Because there was much greater hurry and expedition in embarking and landing the slaves, from fear of interruption by the cruisers, and less care for the comforts of the slaves; because small swift vessels were employed, and because they were considerably overcrowded. But this was a string of fallacies from beginning to end; for the use of those swift vessels would ensure a shorter passage; whilst the overcrowding of the vessel was calculated to retard its speed, and thus in fact to incur the very danger—the danger of falling into the hands of British cruisers—which they desired to avoid. Another reason, too, was assigned for this overcrowding; and it was because so many died on the passage in consequence of the ill-treatment they received. Thus it was argued, that the cause of their putting so many on board, was, that so many died on the passage; and that the cause of so many dying on the passage, was the overcrowding! The political economists said, "Leave the slave-traders to themselves; they will not destroy their own slaves; men will not destroy their own pigs and sheep;" but negroes were not cattle—they would not tamely submit to the treatment of slaves, and the slave-trader had to contend with their natural feelings as men, and provide by any means to put down a resistance which was always probable. The Committee of the House of Commons had had before them a person who had acknowledged himself to have been a slavetrader—and this person the Committee had consulted about the best means of putting down the slave trade! Why, the bare idea of asking a slavetrader for his opinion, with reference to the means employed for the suppression of the slave trade, seemed to be one of the most preposterous he ever heard of. What! consult the wolf about the best means of preserving the sheep? The answer came of course. "Remove the dogs." And this person said, "Oh! I am quite hopeless of the efforts of the squadron"—and, of course, he deprecated the employment of it any longer. Hopeless! this man's hope must be not for the squadron's success, but its defeat; and when he so earnestly recommends its recall, he bears the best testimony he is capable of affording to its efficacy. He is an accomplice, and naturally wishes the crime to go on and prosper without molestation. Conceive one of a gang of burglars consulted by the police on the best means of extinguishing burglary! And conceive this advice to be given, "Leave it to itself, I am hopeless of effecting its extinction, you will only cause resistance and bloodshed by making the attempt, and aggravate the horrors you detest." He felt the necessity of now warning the public mind against the false views which were gaining ground unperceived upon this subject, and which threatened to replace the slave trade in the position in which it was practised in this country previous to the year 1788. He was fearful of that extension of the trade which would follow the withdrawal of the cruisers from the coast of Africa; because, if they were withdrawn, the Coast would, in the language of the gallant officer now commanding them, become "one great nest of pirates and robbers." He denied that the cruisers were responsible for the crimes of the slavers, any more than the policeman for the consequences of a criminal resistance to his interference for the prevention of rapine and murder. He was aware that some of the officers employed on that station had expressed an opinion unfavourable to the continuance of the squadron, and believed that with many the service was unpopular. He might refer to the evidence of Captain Maunsell, whom he knew to be a gallant officer, a candid and honourable man, but a gentleman who went out to suppress the slave trade with the conviction that the means used would not be sufficient for the purpose; who set about an arduous task, requiring all the energy of hope, half disqualified by despair. He actually read to the Committee a passage from his memorandum book, copied into it by himself before he left England, embodying that sentiment. Surely it may be suggested without any disrespect either to the Admiralty or the officer, that men entertaining such an opinion should not be selected for the service. He was sorry to say, that from looking over this evidence, he had not the slightest doubt that English capital was largely engaged in the slave trade—that the property of many persons in England was engaged in it; and that by joint-stock companies in Brazil, comprising many English shareholders, large profits were drawn from it. It might be difficult to get at such persons; but was this country to connive at such practices after passing enactment after enactment for three quarters of a century for the purpose of putting it down? Now, if they put an end to their squadron, they would be throwing the slave trade open to the entire world; and the English, from their capital and enterprise, in commerce of every kind, would soon become amongst the largest dealers in this traffic. He had to offer his humble apology for so imperfectly treating this the greatest cause that ever was pleaded before a human audience; and he hoped he would be excused for addressing them in his desire to put an end to the evil. He hoped that the people of England would not abandon the course they had recently adopted, and for which he must say he thought they had taken too much credit to themselves. On the contrary, it was a lasting shame to a Christian country to have clung so long to the disgraceful practice of slavetrading, in the face of the clearest conviction, and to have so tardily emancipated their own slaves. He strenuously exhorted them by persevering in their present righteous exertions to make atonement for those offences, not to relapse into them; and with these views he proposed an address to cause British subjects who may offend either at home or abroad, to be brought to justice; to induce the enforcement of those treaties by which other nations are bound to co-operate with us in suppressing the traffic; and to induce them to declare slavetrading piracy by their municipal laws. All the witnesses agree that some punishment of those actually carrying on the trade would greatly deter from it; but in the present state of the world, it was scarcely to be expected that the power of summary execution of the pirate by hanging from the yard arm, should be conceded to foreigners. To consign them to the hands of justice, for a less severe punishment—transportation and compulsory labour at Bermuda or elsewhere—would probably be more effectual. The noble and learned Lord concluded by moving the address.

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* Third Series, Vol. xcvi. p. 1100.

The Marquess of LANSDOWNE said, that both that House and the public must feel thankful to his noble and learned Friend for having attracted attention to this important subject. It was not from any disrespect to his noble and learned Friend that on this occasion he should most reluctantly take the course of moving the previous question. His reason for so doing was, that the report of the Committee had only been placed that day on their table, and there had been no time for their Lordships to consider it. It might, perhaps, be inferred—although not so purposed by his noble Friend—from the terms of the address which had just been proposed, and also from some circumstances to which his noble and learned Friend had adverted in his speech, that he had some intention of implying the existence, which there certainly was not, of an unwillingness on the part of the Government to carry into effect the provisions that had been made for suppressing the slave trade, and that the Government were not at this moment, as they however undoubtedly were, giving to those provisions their fullest effect, and also that there might be some appearance of an inclination of prejudging in that House the result of the inquiry before the Committee of the House of Commons. He (the Marquess of Lansdowne) wished their Lordships to have the amplest opportunity of forming their opinion upon the evidence now laid upon the table. That the Government had not abated one jot of their determination in regard to the suppression of the slave trade, might be shown by a reference to the recorded words of his noble Friend the Secretary for Foreign Affairs, who in word and act had been the consistent and constant supporter of the measures for that suppression, and whose direction of that particular department was a sufficient proof that no means had been left untried to give full effect to the numerous treaties on the subject of the slave trade. With respect to the point adverted to by his noble and learned Friend, that notwithstanding the legislation upon the subject persons belonging to this country had been found criminal enough to have engaged, directly or indirectly, in this traffic, the matter had not escaped the notice of his noble Friend the Secretary for Foreign Affairs; in proof of which he referred his noble and learned Friend to the despatch addressed by the noble Secretary to certain consuls, pointing out the law under which British subjects were liable to punishment. Upon the last point adverted to in the address, he entirely agreed with his noble Friend, namely, the expediency of concerting measures for declaring the slave trade piracy, with a mitigation of the punishment now incurred for that crime. It was with the greatest regret that he moved the previous question; but if he could suppose that in other places opinions had been entertained that this was a traffic that should be let alone, then he should come to the assistance of his noble and learned Friend, and pronounce the strongest condemnation of any such view. He trusted the time would never come when any countenance would be given, directly or indirectly, to the opinion that we had the intention, or he would say, morally or religiously speaking, the right, to abandon our endeavours to put an end to that trade which was the curse of the world, as it had been a stigma on our own national character. The noble Marquess concluded by moving the previous question.

Lord BROUGHAM observed, that there was not the least difference of opinion on this subject in their Lordships' House. Their Lordships would be called upon to decide upon a theory which involved a most trumpery and most ignorant misapplication of the principles of free trade—principles which had no more to do with the question of offences and crimes—with robbery, piracy, and murder, than they had to do with any other question the least applicable of which the human mind could form a conception. His noble Friend the Lord Chief Justice had discharged his duty with his wonted ability and firmness. His speech was one of singular effect. It had satisfied all but one; it had fulfilled all other men's expectations except only the speaker himself. It had for ever set at rest the question of fact; on this it was a complete demonstration, and his noble and learned Friend had completely refuted the two propositions that the slave trade had increased in despite of all our efforts to suppress it, and that our endeavours had aggravated, instead of alleviating, the evils attending on it. It was impossible for any one to read the evidence contained in that blue book without feeling convinced that the witnesses who appeared before the Committee had been called and marshalled and examined for the purpose of supporting a foregone conclusion, because it was a notorious fact that the friends of the inquiry had repeatedly declared that the object they had in view was to set the slave trade free—preposterously to introduce the principles of free trade, forsooth! into crime. Unfortunately they had so got into the habit of talking of the slave trade and slave-dealing, that the crime escaped the reprobation which would have been excited against it in the minds of all, had it been, as it ought to have been, called man-stealing — and had the dealers in that horrid traffic been called man-stealers. Had it been spoken of in that plain and honest manner they never would have seen such a state of things suffered to exist as had astonished them all a short time ago—they never would have seen a Committee of one House of the Legislature suffering a man to come before them and say he was a felon in his own country—that he had been guilty of murder and rapine and piracy—nay, of every crime which the law contemplated, because they were all comprised in the detestable crime of carrying on the slave trade—avowing himself that it was a lucrative trade, and that he had made a fortune by it, without that Committee sending him to his trial, and afterwards to the hulks—they would never have seen such a man made the cherished, the pet, the darling witness of those promoting the objects for which the Committee was appointed. Yet so it was, a man avowedly a felon, avowedly one who had made his fortune in the accursed man-traffic, was called before a Committee, he would not say of the House of Commons, but of one House of the Legislature. Care was taken to show that he was highly in favour with some of the parties there, an anxiety shown to wipe away some of the antecedent stains affixed upon his character, and an appeal was made to him as to the credibility of a gallant captain in Her Majesty's service. It was no light matter that a felon, a felon avowedly and coming voluntarily in that character before the Committee—it was no light matter that such a man should be called into any court, either of justice or of Parliament, to prejudice or stigmatise any one, far less one holding Her Majesty's Commission. He was not opposed to inquiry on the subject. He had long been of opinion that a searching inquiry before a Committee of that House into the whole question—a searching and rigid inquiry into the various forms which the man-traffic, which the detestable crime assumed, would have a most beneficial effect. It would show one of two things—it would either show that the stigma which had been thrown upon the character of British merchants was wholly and entirely unfounded, or it would prove—and he feared that would be the result—it would prove that the suspicions which were entertained were well founded, and that the criminals were to be found within the bosom of the great mercantile communities of London, Bristol, Liverpool, and Manchester, who ought to be dragged out into the light, and held up in their true colours to the wondering and indignant gaze of their fellow-countrymen. He would recommend the noble and learned Lord to withdraw his Motion, and to let the declaration on the part of the Government, which had been made by the noble Marquess, go forth to the world unfettered.

After a few words from Lord DENMAN in reply, the previous question was put, Whether the said Question shall be now put?—*Resolved* in the *Negative*.

PARLIAMENTARY ELECTORS BILL.

Lord BEAUMONT moved that this Bill, the object of which was to regulate the times of payment of rates and taxes by Parliamentary electors, be read a third time; after which it was his intention to propose an amendment as to the period up to which the rates should be paid, to entitle parties to be on the list of voters. At present the Bill provided that all rates and taxes payable previously to the 11th day of October in the preceding year, should be paid on or before the 20th of July next following. This he had ascertained would interfere with the arrangements made by parishes for the collection of the rates, which were usually collected half-yearly; he, therefore, proposed that instead of those rates which should become payable previously to the 11th of October in the preceding year being required to be paid, all rates payable previously to the 5th of January in the same year should be actually paid before a person could be a registered voter. He hoped by this alteration to obviate the objection which was urged against the Bill on the second reading.

Lord REDESDALE approved of the proposed Amendment. It was in accordance with one he himself suggested; but at the same time he objected to their Lordships being called upon to pass a measure of this importance at so late a period of the Session, especially as the second reading was carried only by a majority of four. It involved an alteration of the principle of the Reform Act, which it was admitted on all hands, ought not to be lightly touched. He moved, therefore, that the Bill be read a third time on that day six months.

Their Lordships divided on question, that the word "now" stand part of the Motion:—Contents 31; Not Contents 28: Majority 3.

Bill read 3^a. Amendment made. Bill passed.

CRIMINAL LAW ADMINISTRATION AMENDMENT BILL.

Lord CAMPBELL moved to agree to the Commons' Amendments in the Criminal Law Administration Amendment Bill.

Lord DENMAN said, he had the greatest respect for the House of Commons; but he thought it most outrageous that that which their Lordships had, after full consideration, already rejected, should be again imposed upon them. The Judges had not time to consider the numerous cases which they were at present compelled to decide, and he strongly objected to any such additions to their labours as this measure proposed.

Lord CAMPBELL observed, that the House of Commons had had this subject before them during the whole of the present Session. That House sent to their Lordships for a copy of their report; they had had the evidence of Lord Lyndhurst, of Lord Denman himself, and of five Judges; they had taken much time to consider the case, and they had reached a deliberate conclusion, which most certainly was entitled to every degree of respect.

Lord DENMAN said, that the Amendments under consideration involved a question of the most serious importance. The Bill, as it was drawn up, gave to every criminal who did not like his conviction the power to move to set it aside in a court of law. This was a principle which he did not think had as yet been fully discussed.

Motion agreed to.

House adjourned.

HOUSE OF COMMONS,

Tuesday, August 22, 1848.

MINUTES.] PUBLIC BILLS.—2° Bankrupts' Release.

Reported.—Millbank Prison; Fever (Ireland); Dublin Police; Local Acts.

3° and passed:—Sugar Duties; Sheep, &c., Contagious Disorders Prevention.

PETITIONS PRESENTED. By Sir Edward Buxton, from Charles Miller, M.A., Vicar of Harlow, in the Old Diocese of London, respecting the Revenues of the Church of England.—By Mr. Fortescue, from the Inhabitants of the Borough of Barnstaple, for an Alteration of the Law respecting the Church of England Clergy.—By Mr. J. Wilson, from the Sugar Refiners of London, against the Proposition for the Admission of Foreign Refined Sugar.—By Edward Bunbury, from the West Suffolk Lodge of the Independent Order of Odd Fellows, for the Extension of the Benefit Societies Act to that Order.—By Mr. Moffatt, from Shipowners, and Others, of Dartmouth, for a Repeal of the Navigation Laws.—By Colonel Boyle, from the Ratepayers of the Parish of Frome Selwood, in the County of Somerset, for an Alteration of the Poor Law.—By Mr. Henley, from the Guardians of the Thame Union, in the Counties of Oxford and Buckingham, against the Poor Law Union District Schools Bill.—By Sir Lucius O'Brien, from the Grand Jury of the County of Clare, for selecting the River Shannon as the Outpost for America.—By Mr. Moffatt, from Charles William Gregory, Managing Owner of the Steam Ship "*Connaught Ranger*," for Inquiry into the Conduct of the Revenue Officers, as regards that Vessel.

SUGAR DUTIES BILL.

Bill read a third time.

Lord G. BENTINCK had an additional clause to propose, and said: Sir, it will be in the recollection of the House that when this Bill was in Committee I moved a clause, the effect of which would be to place the English refiner on the same footing with foreigners. At that time, unfortunately, five-sixths of the House were absent, and having been defeated under such circumstances as these, I think I am perfectly justified in trying my luck on this occasion. All I ask is this, that the Englishman may be put on an equal footing with the subjects of Holland, Belgium, and Hanover—that the Englishman refining the sugar in England shall be permitted to enter his sugar without paying a duty upon it, whether it be British colonial or foreign sugar, and not be obliged, as he now is, in order to obtain an equal privilege with the Dutchman, to carry his sugar over to Holland, and bring it back here. I hold in my hand some English refined sugar that was obliged to take a voyage to Holland to become naturalised Dutch sugar, in order to enjoy equal privileges with foreign sugar in the English market. I remember the indignation with which all Her Majesty's Ministers used to inveigh against the navigation laws and their protecting clauses. They used to complain that Brazilian sugar had to go to the Cape of Good Hope in order to be entitled to the privileges of colonial sugar. They also inveighed against the necessity of sending raw produce to the United States of America in order to entitle it to come in as American produce. All I ask is this, that when the sugar is refined in bond it may be sent back to the locks of the Crown, where it will remain side by side with packages of similar foreign sugar, be permitted to pay the same duty with the foreign sugar next to it, and then be entered for home consumption. It appears to me that a proposition so reasonable cannot be resisted in this House. Sir, I am told that there will be great difficulty in accomplishing this—that half a year's more preparation will be necessary in order to enable Government to frame a measure that will preserve the revenue from fraud. I cannot understand how any fraud can be committed. I myself have visited one of these refineries—a bond refinery of special security. I found there a few barriers of iron, and a few padlocks, and a few iron gratings, such as would confine a lady's bullfinch. These were all that were required to prevent any fraud. When I heard that there was all this difficulty in making a bond refinery of special security, I expected to find a building surrounded by ramparts. But, on the contrary, I discovered that the revenue required no protection beyond that which is usually given by the continual presence of a custom-house officer, who never leaves the premises. Such a security is, in fact, found in the regulations of the Customs. There are at present ten different checks in the form of documents, and one in duplicate, making altogether twelve securities that are required to prevent fraud. These bond warrants and securities are, in my opinion, quite sufficient to protect the revenue. Indeed, during the last fourteen years that the refiners have been permitted to refine in bond, there has not been so much as one single conviction of any one for an attempt at fraud. I am not surprised that there should be such a petition from the home refiners as that which was this day presented. It was because the Government wanted to make the refining in bond compulsory that that petition was presented. Had the Government proposed to make the refining in bond optional, it would be gratefully accepted. The spirit of the petition is that the home refiners should be protected against the Englishman who is now permitted to refine in bond for exportation, and that the foreigner should not have a monopoly against the English refiner. I hold in my hand a letter from Messrs. Goodhard and Patrick, on the difficulty of refining in bond. [The noble Lord read the letter. The writer complained of the system of compelling all refiners to work in bond, and said that the supposed danger to the revenue from the plan of Lord George Bentick was all moonshine. The refiners were ready to give every security against fraud. Indeed, for thirteen years refining in bond had been carried on in this country, and no single instance of fraud had been proved.] Let the House understand that these refiners in bond do not ask to be permitted to refine sugar in bond for home consumption brought here in unprivileged ships. They are willing to surrender the privilege which they now enjoy, as regards refining in bond for foreign exportation, and they ask to be permitted to enter their sugar, being British colonial sugar—and I am sure that they would refine the sugar of Demerara and Mauritius in bond—and to pay the foreign duty upon it. The hon. Member for Westbury has stated that the freight and charges of sugar from Holland to this country would be at the rate of 2*s.* 6*d.* per cwt. Are the English refiners to be forced to have recourse to this humiliating and expensive process of sending their sugar over to Holland in order to become naturalised and be entitled to the privileges of the English market? The conveyance to Holland and back again is from 1*s.* 6*d.* to 2*s.* 6*d.* per cwt., while the freight and charges of sugar from Holland to Hull at this time is only 9*d.* per cwt. I am aware that Messrs. Goodhard and Patrick have not succeeded in obtaining the consent of the Customs to enter their sugar as white clayed sugar. They carry on a great trade by refining sugar for foreign and home consumption. I would ask the Chancellor of the Exchequer, and hon. Gentlemen on the Treasury bench, how they mean to deal with the Dutch treaty? How can they exclude sugars manufactured in the same way as Messrs. Goodhard and Patrick's? These gentlemen do not presume to say that sugars are brought to this standard by being white clayed. It is by going through a process of refining. Is the Government prepared to say that no sugars can go through the process of, literally speaking, claying, but the sugars of the country of which clayed sugars are now the growth and produce? Do you mean to bring up this question of growth and produce to suit your present purpose? When it did not suit your purpose you made no such distinction. If you are not prepared to stop the refined sugar of Calcutta, and Bagshaw's sugar, how will you prevent the sugar of Holland from coming in? If you do not prohibit the sugars of Holland from coming in, with what face can you say to Messrs. Goodhard and Patrick, "We know from your locker that your sugars are of the same standard and go through the same process as white clayed sugars—as the sugars of Holland; we will permit the Holland sugar to come in and pay *21s. 7d.* duty; but we will not permit your sugar to come in for home consumption, because we know from our locker over your refinery that this sugar has been refined in the same way that the sugars of Holland are refined?" Is it not a humiliating circumstance that Englishmen must send their manufactures abroad in order that they may be placed on an equal footing with the produce of foreign countries? Have we not a right to say that this is a foreign-loving Government, a Government that prefers the interest of foreigners to the interest of Englishmen? All I ask is, that you will give fair play to the energy, skill, and enterprise of your own countrymen, and will not put a ban on the refiners of England, while you hold out an advantage to the refiners of foreign countries. I beg leave to move the insertion of the following clause:—

"And whereas it is expedient to admit Sugar, without payment of Duty, to be refined for home consumption, under the lock of the Crown; Be it further Enacted, That it shall be lawful for any person or persons who may be now, or who may be hereafter, engaged, under the provisions of the Acts of the 3rd and 4th Will. IV., c. 61, and 8th and 9th Vic., c. 91, in the trade of Refining Sugar in bond for exportation, to enter the products extracted from the same for home consumption, anything in the aforesaid Act or Acts, or any other Act to the contrary notwithstanding, at the rates of Duties levied upon Foreign Sugar, as set forth in the third Schedule of this Act, under the same regulations as are now, or may hereafter, be applied by Her Majesty's Officers of Customs to the exportation of such Sugar; Provided always, That such person or persons as aforesaid shall previously give bond to the satisfaction of Her Majesty's Commissioners of Customs to use such Sugar only as shall have been imported in ships privileged under the Navigation Laws to import Sugar for entry to home consumption."

Clause brought up and read a first time.

On the question that it be read a second time,

The CHANCELLOR OF THE EXCHEQUER rose to repeat the opposition which on a former occasion he gave to the proposition of the noble Lord, and expressed his regret that the noble Lord should have thought it necessary to have gone over the same ground again. The noble Lord argued, that certain privileges ought to be granted to our countrymen as a matter of justice. There were undoubtedly great advantages attending a general system of refining in bond. This he (the Chancellor of the Exchequer) had never denied for a moment: on the contrary, he had stated them on a former occasion. On the other hand, there were great difficulties in the way. The Government at present could not clearly see their way to the adoption of a general system; but between this and the next Session they intended to consider the subject. He had had several conferences on the subject with refiners both of the town and country; and they perfectly concurred in the views of the Government, that though a general system had great advantages, yet it was surrounded with great practical difficulties. If such a system were adopted, it must be adopted universally, and at present they did not see their way to it. They stated, in a memorial to the Government, that the subject involved many practical difficulties; that the system would impose many vexatious restrictions; and that at this late period of the Session it would be impossible to prepare a well-digested and comprehensive scheme. A petition had been presented to the House, signed by every refiner in London but two against the proposal of the noble Lord. The noble Lord was not therefore correct in saying, that this was the request of the refiners in London. The noble Lord said, it was to the compulsory part of the Government proposition that the refiners objected; but the principal part of the refiners in London told him, that unless the measure was made universally compulsory, they did not see any safety to the revenue. He could not perceive what injustice could be done by putting all parties on the same footing who carried on the trade of the country. Any question respecting the foreign refiner did not apply to persons refining in bond, but to the great body of refiners. The duty imposed on Dutch refiners was a reasonable protection to English refiners, and by it justice was done to all parties. He confessed it was impossible for him to see that, because refined foreign sugar was admitted into this country, therefore the refiner in bond should be allowed to do what the great body of the trade were not allowed to do. The Chairman of the Customs, to whom this question had been referred, satisfied himself that it was impossible to secure the revenue if the noble Lord's proposition were adopted; and when the noble Lord talked of twelve restrictions against fraud, he (the Chancellor of the Exchequer) was afraid they came under the description of being paper securities, and not real securities. If fraud could be detected, there would be an end of the difficulty, as the guilty party might be punished. But the difficulty here was to detect the fraud, against the perpetration of which those papers afforded no security whatever. He was not arguing against the general principle of refining in bond, but against the proposal of the noble Lord. That proposal was dangerous to the revenue, injurious to the fair trader, and opposed by the great body of the trade. He hoped, therefore, the House would affirm its previous decision, and not adopt, against the general wish of the parties interested, the proposal of the noble Lord. The noble Lord had asked how Dutch sugar was to be excluded from this country. The only ground upon which Dutch sugar was admitted into this country was, that it was the manufacture of that country. All the sugar from India came in as raw sugar. Dutch raw sugar was inadmissible, but Dutch manufactured sugar was admissible on paying the duties. It was only as refined sugar it was admissible. He (the Chancellor of the Exchequer) considered the proposal of the noble Lord to be unjust to all parties engaged in the refining trade of this country. If the refiner in bond paid the duty in the first instance, then no injury whatever was inflicted on any body, and the refining trade remained on the same footing as the general trade of the country. The Government would direct its attention to the subject during the recess, in the hope of adopting some general measure that would apply to all parties.

Mr. BERNAL said, all sugars, not merely foreign sugars, but British colonial sugars, should be admitted to the refiners of this country for the benefit of all parties. He believed that to be perfectly practicable, and that the chemical and mechanical skill of the Board of Excise would be sufficient to guard the revenue against fraud. The state of the sugar market showed that the House had been acting most ruinously towards those engaged in the sugar trade. The introduction of the Sugar Duties Bill, and the discussions upon it, had driven down the market 3*s.* the cwt., and had extracted from the pockets of the sugar growers perhaps 3*l.* per hogshead. The refiners in Whitechapel had been selling at 50*s.* the cwt. That sum included the reduced duty of 13*s.* a cwt., 4*s.* for freight, and 2*s.* for charges. How was the unfortunate person who produced this sugar to cultivate his estates under such circumstances? The real question now was, whether our colonies were worth preserving or not. You will at least reduce your colonies to such a state of ruin and distress, that it will take years to restore them to a condition in which they will be of use to the mother country. The consequence of the legislation of that House with regard to the West Indies would be, that estates would be abandoned, labourers thrown out of employment, and, the colonies returning to a state of barbarism, dissatisfaction would be produced at home and abroad, and injury inflicted upon every one of the interests of this great empire.

Mr. GOULBURN thought it would be well that some general system of refining in bond should be adopted; but as the Session was so far advanced, and the right hon. the Chancellor of the Exchequer had held out hopes of a measure on the subject being introduced next Session, he should give his vote against the proposition of the noble Lord the Member for King's Lynn.

Mr. HERRIES said, it was admitted on all hands that the rejection of the proposition of his noble Friend the Member for King's Lynn would inflict great injustice on English industry and English capital; and all the answer that the Government could give was, that they were not skilful enough to find a remedy. The Government would soon have to repent of their policy with regard to our West Indian colonies. Every packet brought them intelligence of the dangers which they were creating in the colonies. Every packet told them how precarious their tenure of the colonies was becoming, in consequence of their legislation. Lord Grey, in a recent despatch to the colonies, had told them that they must no longer look to the mother country for protection—they must be prepared to enter into full competition with foreigners altogether unaided by the British Government. That was not the way in which to govern this great empire—to preserve our colonial or any other interest. The Government had involved themselves in the greatest inconsistency, and had not even had the courage to carry out their own principles. They had abandoned free trade, whilst their measure of protection was so paltry that it would be of no service to those for whom it professed to be brought forward. It was not denied that the Act of 1846 had given the greatest encouragement to the cupidity of those who were concerned in the carrying on of the slave trade, whilst at the same time it had brought ruin upon the colonies. This miserable expedient must have the effect of destroying the loyalty of our colonies, and their ultimate severance from the mother country—a catastrophe which he was sure would be as much deplored by the occupants of the Treasury benches as any other men in that House.

Mr. LABOUCHERE complained that the right hon. Gentleman who had just sat down had failed to show any reasons for his determination to vote for the proposition of the noble Lord the Member for Lynn; he had preferred making an attack upon the policy of the present Government to defending his intended vote. He could assure the House that he would be the last man to deny that the present state of the West Indian colonies was such as to inspire every lover of this country, in common with the Members of the Government, with the greatest anxiety and alarm. He never had disputed the fact that great distress prevailed in those colonies, and that any remedies which they could fairly apply to that distress it was their duty at once to adopt. But the House should bear in mind that the English colonies were not the only ones labouring under distress. Cuba, in which slavery was rife, and the colonial possessions of the French, were at present suffering from great distress. The right hon. Gentleman (Mr. Herries) opposed the Government proposition because they had not proposed a system of permanent protection for the colonies; but it was not for the interest of the British colonists themselves that any hope of the Imperial Legislature returning to the system of protective duties should be held out. He believed that nothing could be more fatal to their prosperity. The right hon. Gentleman had blamed his (Mr. Labouchere's) noble Friend, Lord Grey, because he had stated in a despatch to the West Indies that they must ultimately look for unrestricted competition with the colonies of other countries. Why, there was only one point on which the Committee of that House which had recently sat upon the West Indian question were unanimously agreed—he believed that there was only one dissentient voice to the opinion that the West Indian colonies must eventually look for unrestricted competition with foreign countries, namely, the noble Lord who presided over the Committee; and yet the right hon. Gentleman had complained of Lord Grey having expressed himself to the colonists to the same effect. [Mr. Herries had not advocated permanent, but merely temporary protection.] He did not know what the right hon. Gentleman meant by "temporary protection." His hon. Friend the Chairman of Ways and Means (Mr. Bernal) had said that this Bill had had the effect of knocking down the prices very much in the sugar market. Now, he held in his hand a statement which he found in the City article of the *Times* newspaper of that day, which he thought was very much at variance with the statement of his hon. Friend. The article stated that, notwithstanding the hostility that was exhibited by the Jamaica press to the Ministerial measures, prices had risen considerably. It could not be disputed, therefore that his hon. Friend's statement as to this Bill having caused a reduction in prices in the West Indies, was not correct.

Mr. HUME would vote for the proposition of the noble Lord the Member for Lynn, because he protested against a law which compelled the English consumer to pay the expense which was incurred by the English importer being obliged to take his sugar to Holland to have it refined. The Government should not suffer an inefficient Custom-house to impede a measure of justice and benefit to all classes. The Government said that they were not yet prepared with the necessary arrangements for carrying into effect the intentions of the noble Lord the Member for Lynn; but why were they not prepared? It was the duty of the Government to enable the consumer in this country to obtain his sugar at the lowest possible price, and that could not be done until permission was given to the English importer to refine sugar in bond; and that being the object, as he believed, of the proposition of the noble Lord, he felt bound to give it his support.

Mr. H. BAILLIE: When last this question was brought under discussion, he opposed the proposition of the noble Lord the Member for Lynn, because he agreed with his right hon. Friend the Member for the University of Cambridge (Mr. Goulburn) that it would be very unjust to give a privilege to one class of refiners in this country which was refused to the rest; but having since heard the statement of the noble Lord with regard to the enormous injustice that they were about to perpetrate upon a body of refiners, by allowing the Dutch to refine sugar to the disadvantage of the English sugar merchant, whom they would not permit to refine, he now thought that the alternative of the noble Lord was better than the proposition of the Government. With regard to the statement of the right hon. Gentleman the President of the Board of Trade, that the colonies of other countries were suffering as well as those of Great Britain, he had to observe, that the accounts received from Cuba, Brazil, &c., did not justify the right hon. Gentleman's statement.

Lord J. RUSSELL said: I wish to say only a few words in consequence of what fell from the hon. Member for Inverness. He said that my right hon. Friend ought not to have stated that he meant to propose a measure with respect to refining sugar in bond, unless he fully intended to bring such a measure forward, or if he had not a belief that such a measure was to be brought forward. Now, the sense of what my right hon. Friend stated was this, that it was a subject encumbered with great difficulties, and that he would consider of such a measure during the recess; that if he saw his way to a good and practicable measure, he would propose to introduce it, but that he would not pledge himself to bring such a measure forward until he had fully considered the difficulties belonging to it. My right hon. Friend has had interviews with persons connected with the trade upon this subject; but having asked the Chairman of Customs, Sir Thomas Fremantle, to pay particular attention to this subject, after a very careful investigation, he has come to the conclusion that refining in bond under the present Custom-house arrangements could not be carried on without much inconvenience to the trade, and fraud on the revenue. This question, therefore, is one which cannot be decided in a few days; it is a subject which I think requires serious practical examination.

Mr. G. THOMPSON, as the representative of the great body of English sugar refiners in the metropolis, felt bound to give his cordial support to the proposition of the noble Lord (Lord G. Bentinck). He had listened with the utmost attention to every word which had been said during the debate, and felt thoroughly convinced that Government, having offered no solid argument for the course they took, there must be some Dutch influence at the bottom of it.

Mr. JAMES WILSON was aware, in consequence of what fell on one occasion from the noble Lord (Lord G. Bentinck), to what house the hon. Member alluded. He (Mr. Wilson) had never had the slightest communication with that foreign house, one way or the other, upon the subject. The present proposition was to give effect to the request of a single refiner in bond, he being at the same time a refiner for the home market. If carried, it would enable him, by dividing his cargoes between his two refining houses, the inferior part to the one and the better to the other, to put in his pocket a certain sum which he would otherwise have had to pay to the revenue; and nine-tenths of the refiners could not in practice take advantage of such a permission.

The House divided on the question that the clause be read a second time:—Ayes 40; Noes 70: Majority 30.

List of the Ayes.

Bankes, G.
Christy, S.
Crawford, W. S.
Cubitt, W.
Disraeli, B.
Duncombe, hon. O.
Du Pre, C. G.
FitzGerald, W. R. S.
Forester, hon. G. C. W.
Fox, W. J.
Grogan, E.
Gwyn, H.
Hamilton, G. A.
Henley, J. W.
Herbert, H. A.
Herries, rt. hon. J. C.
Hildyard, T. B. T.
Hume, J.
Jolliffe, Sir W. G. H.
Keogh, W.
Kershaw, J.
Miles, P. W. S.
Moffatt, G.
Moore, G. H.
Mullings, J. R.
Napier, J.
Newdegate, C. N.
O'Brien, Sir L.
Repton, G. W. J.
Sibthorp, Col.
Spooner, R.
Thompson, Col.
Thompson, G.
Urquhart, D.
Verner, Sir W.
Vyse, R. H. R. H.

Waddington, H. S.
Wawn, J. T.
Wodehouse, E.

TELLERS.
Bentinck, Lord G.
Baillie, H. J.

List of the NOES.

Adair, R. A. S.
Barnard, E. G.
Barron, Sir H. W.
Bellew, R. M.
Berkeley, hon. Capt.
Bernal, R.
Boyle, hon. Col.
Brockman, E. D.
Brotherton, J.
Buller, C.
Campbell, hon. W. F.
Cavendish, hon. C. C.
Childers, J. W.
Clements, hon. C. S.
Cowper, hon. W. F.
Craig, W. G.
Duncan, G.
Dundas, Adm.
Ebrington, Visct.
Evans, J.
Ferguson, Sir R. A.
Foley, J. H. H.
Goulburn, rt. hon. H.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grey, R. W.
Hawes, B.
Hay, Lord J.
Hayter, W. G.
Headlam, T. E.
Hobhouse, rt. hon. Sir J.
Hobhouse, T. B.
Hodges, T. L.
Howard, P. H.
Jervis, Sir J.
Labouchere, rt. hon. H.
Lascelles, hon. W. S.
Lewis, G. C.
M'Gregor, J.
Matheson, Col.
Morpeth, Visct.
Morison, Sir W.
Morris, D.
Norreys, Sir D. J.
O'Connell, M. J.
Owen, Sir J.
Paget, Lord A.
Parker, J.
Pigott, F.
Raphael, A.
Rich, H.
Romilly, Sir J.
Rumbold, C. E.
Russell, Lord J.
Sheil, rt. hon. R. L.
Shelburne, Earl of
Sheridan, R. B.
Somerville, rt. hn. Sir W.
Thornely, T.
Turner, E.
Vane, Lord H.
Verney, Sir H.
Villiers, hon. C.
Ward, H. G.
Watkins, Col.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.
Wrightson, W. B.

TELLERS.
Tufnell, H.
Hill, Lord M.

Lord G. BENTINCK brought forward a series of alterations in the schedules, to correct, as he said, the blunders of Ministers.

The House divided on the question, that 17*s*. as the duty on brown clayed sugar, for which the noble Lord proposed to substitute 16*s*. 6*d*. stand part of the Bill:—Ayes 80; Noes 17: Majority 63.

The House divided again on the question, that 16*s*. 4*d*. stand part of the Bill as the duty on sugar candy, instead of 16*s*. as proposed by the noble Lord:—Ayes 81; Noes 16: Majority 65.

[It will answer all useful purposes to give only the Noes on the second of these two divisions.]

List of the NOES.

Baldock, E. H.
Christy, S.
Dick, Q.
Disraeli, B.
Gwyn, H.
Henley, J. W.
Jolliffe, Sir W. G. H.
Keogh, W.
Moore, G. H.
Mullings, J. R.
O'Brien, Sir L.
Robinson, G. R.
Verner, Sir W.
Vyse, R. H. R. H.
Waddington, H. S.
Walsh, Sir J. B.

TELLERS.
Bentinck, Lord G.
Spooner, R.

Bill passed.

CURRENCY.

Mr. HERRIES would endeavour to confine himself as much as possible to the subject to which he was anxious to draw the attention of the House. The Motion he had to submit was as follows:—

> "That this House will, early in the next Session of Parliament, take into its serious consideration the Reports from the Committee of this House, and from the Committee of the House of Lords communicated to this House, appointed to inquire into the Causes of the recent Commercial Distress, and how far it has been affected by the Laws for regulating the issue of Bank Notes payable on demand."

He was satisfied that the country looked with the greatest anxiety to the result of this Motion, and that result would be most unsatisfactory, unless the House expressed an opinion that early in the ensuing Session it would take the subject into its attentive consideration. At this late period of the Session it would be impossible to enter into an inquiry with any satisfactory result. These reports had produced a deep impression on the public mind; the importance of the subject it was impossible to exaggerate; and he could not do better than illustrate that by the words of one who in that House was always listened to with the greatest attention. In 1844, his right hon. Friend the Member for Tamworth, in introducing the measure to which these reports referred, said—

> "I shall at once proceed to call the attention of the Committee to a matter which enters into every transaction of which money forms a part. There is no contract, public or private—no engagement, national or individual—which is unaffected by it. The enterprises of commerce, the profits of trade, the arrangements made in all the domestic relations of society, the wages of labour, pecuniary transactions of the highest amount and of the lowest, the payment of the national debt, the provision for the national expenditure, the command which the coin of the smallest denomination has over the necessaries of life, are all affected by the decision to which we may come on that great question which I am about to submit to the consideration of the Committee."

It was necessary that he should state the history of those Acts, the operation of which had, in his opinion, conduced to bring us into our present position. In 1844 the then Executive Government availed itself of the opportunity which then offered to revise the engagements which it had entered into with the Bank of England—and proposed to the House a plan making great alterations in the engagements then existing between the Bank and the public, for the regulation from that time forward of the currency of the kingdom. In his opinion, the failure of that measure had been demonstrated; and the House should determine, as speedily as possible, whether it should be persisted in or modified or abandoned. He apprehended that the alteration to which the House had assented in 1844 proceeded upon the assumption that it was necessary to introduce some stringent measure, for the regulation of that portion of the currency of the country which consisted in the issue of bank-notes payable on demand. It was assumed that to the unregulated issue of bank-notes some of those convulsions from which the commercial world occasionably suffered were owing—it was assumed that by the imposition of certain regulations on the issue of the bank-note currency, the occurrence of those convulsions would, for the future, be prevented; that too great fluctuation in the interest of money would be averted; that undue speculation would be prevented; and, above all, and as the climax of the benefits to be derived from the imposition of these regulations, that the convertibility of bank-notes would be effectually secured. Many persons, even at that time, were of opinion that the causes alluded to could not be the real causes of those evils; that the currency did not determine the prices of commodities; that to lay restrictions on the currency would not cure those evils, while by circumscribing the issue of notes payable on demand, they would, by the machinery used for that purpose, create dangers greater than any to which the commercial world had been previously exposed. These opinions were held by persons of high authority. They doubted whether the division of the Bank into two departments—the one for the issue of notes, at the same time restricting that issue to 14,000,000*l.*—the other for the transaction of banking business only, would answer the purpose for which it was intended, and whether, without answering that purpose, it would not in itself give rise to great difficulties. An hon. Gentleman opposite had taken a very prominent part in these discussions; and he was greatly indebted to the labours of the hon. Gentleman for much valuable information. No one had stated more clearly than had the hon. Member for Westbury, in the valuable work which he had published on this subject, the objections which existed to the theory which had been propounded, and the difficulties which might possibly arise if it were attempted to reduce that theory to practice. The hon. Gentleman had been supported out of the House by other able persons. In the House views of a somewhat similar nature had been propounded by two Gentlemen who were at present Members of Her Majesty's Government, and whom he regretted not to see in their places that night. He alluded to the hon. Gentleman the Member for Kinsale, and to the right hon. Gentleman the Commissioner for the Poor Laws. Time had already brought to the test the differences of opinion which then existed. Three years had not elapsed before they were called upon to abandon the measure which had been then introduced. In the course of three years the objections which had been made to the principle of the Bill by the hon. Member for Westbury had been shown to be well founded, and his apprehensions as to the results of the measure had proved too true. It was now demonstrated beyond a doubt that the Act had not succeeded in preventing undue and extravagant speculation. Speculations more extravagant than those which had been entered into since the passing of this Act had been unknown in the commercial history of this country. It had not prevented the most extraordinary fluctuations in the value of money. Within the course of eight or nine months the interest of money, as regulated by the Bank of England, had varied from three per cent to ten per cent. Had it succeeded in securing the convertibility of notes? He thought he should be able to show that it had not. The history of the last six months was alone sufficient to show that all the predictions of those who had warned the country of the possible evils of the change, had turned out but too true. He would not go back to thet ransactions of October—they were still fresh in the recollection of the House, and long would be fresh in the minds of all those who took an interest in commercial matters. In consequence of the events which then happened, the Government had been obliged to step in and to suspend the provisions of the Act of 1844, and the Government had done wisely. Parliament had been called together in November, in consequence of these events. They had been told in the Speech from the Throne that the Members of the Government had taken upon themselves the responsibility of advising Her Majesty to suspend the provisions of the Act of 1844, and the House had decided unanimously that Her Majesty's Government had acted wisely in so doing. His object was, to impress upon the House the necessity of giving an assurance to the public, that it would, on the earliest opportunity, undertake the consideration of the Act of 1844, so far as it operates as a restriction on the currency, for the purpose of deciding whether it shall be continued, or modified, or repealed. When Parliament met in November, unusual haste had been made by the Government to forestall any Motion which might be made on the subject. The Chancellor of the Exchequer had at once placed on the books a notice for a Committee of Inquiry. Any attempt, therefore, that might have been made to draw the attention of the House to the subject, would have been met by the reply that a Committee of Inquiry into the subject had been appointed. He did not accuse the Government of any design to throw over the subject to such a late period of the Session that it should be impossible to discuss it; but such had been the effect of the course adopted, and that such would be the effect had been foreseen. Then, with regard to the composition of the Committee, that had been discussed frequently in the House, and had given great dissatisfaction. Twenty-six persons had been appointed on it—a most unusual number. The supposed opponents of the measure appointed on Committee amounted to eight or nine, or at most ten; the remainder were supposed to be favourable to it. At the same time the other House of Parliament appointed a Committee of Inquiry into the same subject, and in the same terms. Both Committees had finished their labours, and they had now before them two reports, one of the Lords and the other of the Commons, and he was desirous that, by the adoption of his Motion, the House should pledge itself to take those reports into its consideration with the slightest possible delay. The Committee of the House of Commons reported thus:—

> "The evidence which has been given as to the effects of the Act of 1844 has been contradictory. Its beneficial effects, as regards the issues of the country banks, have been admitted by many of the witnesses; and although some have suggested an alteration of its provisions, very few have contested the general principles on which it is founded.
>
> "Your Committee have had under their consideration whether it is advisable that powers should be conferred by law upon the Government to enable them to meet the occurrence of any circumstances which may call for extraordinary interference; but they have come to the conclusion that, looking to the impossibility of foreseeing what the precise character of the circumstances may be, and also what may be the measures best calculated to meet them, it is more expedient to leave to those with whom the responsibility of the Government may rest at the time, to adopt such measures as may appear to them best suited for the emergency."

The Committee concluded by saying that after a careful perusal of all the evidence, they were of opinion that it was not expedient to make any alteration of the Bank Act of 1844. The view which the Committee of the House of Lords took of this subject differed materially from the opinion of the Commons' Committee. They were of opinion—

> "That the principle on which the Act of 1844 should be amended is the introduction of a discretionary relaxing power; such power, in whomsoever vested, to be exercised only during the existence of a favourable foreign exchange."

They further state in their report—

> "If the Committee considered that the Act of 1844, which they desire to see amended so far as its restrictive clauses are concerned, was essential to the practical convertibility of the bank-note, they would hesitate in recommending any change. But it should never be forgotten that the liability of the Bank consists in its deposits as well as in its promissory notes. The legal obligation to discharge both is the same; the failure of either would be equally fatal. The protection given by the Act of 1844 is mainly given to the bank-notes, and in some degree at the risk of the deposits. This appears undeniable on comparing the reserve in the third week of October with the amount of private deposits. Had any unfortunate circumstance interfered with the power of meeting the latter engagements, or had not the Treasury letter been written, there seems little doubt of the fatal consequences which must have ensued. Had it been impossible to pay the deposits, a discredit of the bank-note must have been the consequence. Nor can it be rationally questioned but that such a misfortune might have exposed to risk the convertibility of the bank-notes."

Here then were the two Committees reporting, the one declaring that it was best to leave things as they were, and the other that it was of importance that the Act should be amended. He should now endeavour to show on what a slender foundation the report of the Commons' Committee rested, and to ascertain how far it was sustained by the evidence which had been given. Many persons who had not read the evidence would be apt to suppose that it led to the conclusion to which the Committee had come, and that the report of the Committee was justified by it. He should endeavour to analyse the evidence, and to show that such a supposition was erroneous. The Committee had examined

26 witnesses as to the Acts of 1844 and 1845, and the two reports contained the opinions of these witnesses. Of these 26 witnesses two were examined exclusively on the subject of the East India trade, and he should, therefore, set their testimony aside. That would reduce the number of witnesses to 24. The House had a right to know the number who gave an opinion adverse to the Act of 1844, and the character of those witnesses. He should divide them into five classes. The first class comprised those witnesses selected by large commercial bodies to represent them in Committee. They were four in number —Mr. Bevan, selected by the London bankers; Mr. Birkbeck, by the country bankers; Mr. Kinnear, deputed by the Chamber of Commerce, Glasgow; and Mr. M'Farlane, from the Chamber of Commerce, Edinburgh. These four were of the same opinion with regard to the Act of 1844—all of them agreed that it had led to a considerable aggravation of the distress of 1847, and were of opinion that it required amendment. The second class were persons presiding over large banking establishments, and were eight in number. Of these three represented the Bank of England, one the Bank of Ireland, and four the following banks:—Mr. Anderson, manager of the Union Bank of Scotland; Mr. Bell, manager of the City of Glasgow Bank, in Edinburgh; Mr. Murray, manager of the Provincial Bank of Ireland; and Mr. Bristow, manager and director of the Northern Bank of Ireland. Of these the three who represented the Bank of England were favourable to the Act, and maintained their opinion, in spite of a severe cross-examination. Mr. Macdonnell, the Governor of the Bank of Ireland, thought there were disadvantages attending it, but did not give an opinion against it. But the other four—Mr. Anderson, Mr. Bell, Mr. Murray, and Mr. Bristow—were decidedly of opinion that the safety of the country required an amendment of the Act. The third class of witnesses consisted of individuals of great eminence and experience in commerce and in the money market of the metropolis. They were Mr. Gurney, one of the greatest money dealers in the world; Mr. Bates, a partner of the house of Baring and Co.; and Mr. Horsley Palmer; and they were generally of opinion that it was inexpedient to continue the restrictions of the Act of 1844, with regard to the Bank, as they now existed. The fourth class consisted of persons engaged in banking and commercial business in provincial towns: they were Mr. Pease, representing the industry of the north; Messrs. Hodgson and Turner, from Liverpool; Mr. Gardner, from Manchester; and Messrs. Salt and Muntz, from Birmingham, all of whom expressed an opinion against the Act of 1844. Messrs. Salt and Muntz were opposed to our whole system of currency—to the Act of 1819, as well as to the Act of 1844; and he would not, therefore, avail himself of their evidence. The fifth class consisted of gentlemen who had studied the subject theoretically. They were Mr. Tooke, well known for his work on prices; Mr. Jones Loyd, and Mr. Taylor. It was hardly necessary for him to say that Mr. Jones Loyd strenuously defended the Act, and was opposed to any change. Mr. Taylor was opposed to the whole of our monetary system, to the Act of 1819 as well as to the Act of 1844. It appeared, therefore, that of twenty-four witnesses, four had given a decided opinion in favour of the Act. He should not avail himself of the witnesses—three in number—who were opposed to the Act of 1819, as well as the Act of 1844, and to our system of currency in general. Deducting these, and a fourth witness, whose evidence he did not take into account, there remained sixteen out of the twenty witnesses whose evidence was to be weighed, who had declared that the Act of 1844 required amendment. But the character of the witnesses ought also to be kept in mind. All those deputed to express the opinion of commercial bodies were against the Act of 1844. Of those at the head of large banking establishments, four were against the Act, and three for it, the three being connected with the Bank of England. The three eminent individuals connected with the commerce of the metropolis who had been examined, were against it, and were of opinion that the safety of the mercantile community required its alteration. Of the six witnesses who represented important establishments in the provinces, excluding the Birmingham witnesses, four were of opinion that the Act required amendment in the sense of a relaxation of its restrictions. Add to these one witness of another class—a great writer on the subject, who was opposed to the Act—and the proportion in point of numbers would be sixteen against, to one for. How, then, could the Committee say that, after a careful review of the whole of the evidence, they had come to the conclusion that it was not expedient to

make any alteration in the Act of 1844? He knew how they came to that conclusion. It was by force of numbers. An hon. Member opposite moved in the Committee that the Act of 1844 had greatly aggravated the commercial distress. He had himself proposed a resolution that the report was not in conformity with the evidence; but both of these Motions were lost. It was somewhat strange that the Committee of the Lords—with the same, or nearly the same evidence before them—should have come to a conclusion different from that of the Committee of the Commons. There were three elements on one side of the question which ought to determine ultimately the opinion of the House. The first was the Treasury letter of October. Such a letter would not have been issued had it not been indispensably necessary, and its issue must be taken as a proof that the provisions of the Act of 1844 were inadequate. The House had exempted the Ministers from any blame which might have attached to them for issuing that letter, and therefore he had a right to suppose that the issue of it was indispensably necessary. The second element was the report of the Lords' Committee, declaring that the Act required amendment; and the third was the fact that a great preponderance of the evidence taken before their own Committee was also against that Act. These were the questions before the Committee: the first related to the cause of the commercial distress; and the second, to the effect which the Act had on the regular circulation of notes. He should say nothing about the first part, for none of the witnesses had given any opinion which would justify him in saying that the Act itself had been the cause of that commercial distress. He thought the second branch of the inquiry, namely, the effect of the Act of 1844 on the existing state of commercial distress, and how far that Act had occasioned the same, a most important subject for their consideration. If they were to look to the report of the Committee on that point, they could not fail to be struck by its importance; and it was in reference to the decision to which they ought to come on that subject, considering all the results and bearings of the inquiry, that he maintained it was a question which ought not to be allowed to sink—that it ought not to be quashed or suffered to remain merely as the expression of an opinion upon the table of the House. The House would not be doing its duty nor satisfying the public, under all the circumstances of the case, if they separated without coming to some conclusion, after a solemn deliberation, upon the Act of 1844. They should express an opinion whether they considered the Act ought to be changed, or whether it was such as would carry the country through another crisis like that which had been passed, and thus give some confidence to the public. When he had introduced that subject in the early part of the Session, he had been met by several objections. It had been said that a Committee had been appointed to consider the matter; and, moreover, that the Parliament was sitting. It was said that it would be still open to the Government to pursue the same course, if they thought it necessary, which they had followed in October, 1847. But he maintained that that was no answer to such a question. Were the Government again to allow a great evil to be done before they interfered, as was the case on the former occasion, to relieve the commercial community from the pressure of a great and imminent calamity? Such was a course of things with which they could not be satisfied. The House ought not to separate before they acknowledged the importance of coming to some decision upon so important a subject. He would not call upon Members who had departed from town to return to their Parliamentary duties for the purpose of discussing that question; but he would urge upon them the necessity of expressing an opinion that it was most expedient that that matter should be taken into serious consideration at an early period next Session. The right hon. Gentleman concluded by moving as stated in the beginning of his speech.

Mr. H. DRUMMOND said, that the right hon. Gentleman the Member for Stamford, who had just sat down, had treated the House on the 22nd of August, with a *rechauffé* of all the debates on currency and banking and commercial distress that had taken place for some few years past; and he thought it necessary that they should pledge themselves to give the subject next year their very serious consideration. It was such a very lively subject that they must pledge themselves to be composed to a very serious mood when they came to consider it. Now, for his part, he knew nothing so dull, dry, and uninteresting; and as to coming to a final settlement upon it, seeing that the questions of banking and currency had for one hundred and fifty years past occupied the attention of every Legislature, and had not yet been satisfactorily adjusted, he did not know how they were to come to a last final settlement. But the right hon. Gentleman complained of everything. He complained of the composition of the Committee, and he built greatly upon the fact that the bankers and commercial gentlemen objected to the Bill. But that would be an equally valid objection to the Bullion Report of 1810, or to any other Act connected with the subject; for there was no Act to which there could not be found abundance of objectors amongst commercial men. He did not see what good could be effected by the House giving such a pledge as that required by the right hon. Gentleman. Sufficient for the year were the debates thereof; and he would not promise to go next year into the same question again.

MR. NEWDEGATE said that the hon. Member for West Surrey tried to laugh the question out of the House. His speech just amounted to—" Lord! what a bore is this currency question. Thank God we are near the holidays. Let us have no more about it." But he (Mr. Newdegate) thought that was not the way to treat the discussion of a system which had involved the suspension of 143 first-rate commercial houses in the months of October and November, 1847. It would not do to laugh such a matter off. The country now presented a most alarming aspect. There was a frightful deficiency in exports; but the deficiency in amount was nothing to the depreciation in value. And in case the present untoward weather should seriously injure the crops, and thereby render the necessary import of grain, and consequent export of bullion, of the present year vastly greater than that of the last, he trusted that the Government would not allow Parliament to disperse without holding out a hope that they would be ready to discuss the great question as soon as Parliament was reassembled, when they recollected the melancholy and distressing effects upon trade from similar causes last autumn. Now, how had this question been dealt with by the Committee, selected at the instance and by the force of a Government majority to investigate it? Had that Committee shown that zeal or diligence which might have been expected in so momentous an inquiry? The Committee on Commercial Distress had sat more than five months, and examined twenty-six witnesses; whilst the Committee on Sugar and Coffee Planting had sat thirty-two days, and examined eighty-eight witnesses; so that the latter Committee, in two months and five days, had examined more than three times the number of witnesses examined by the Committee on Commercial Distress, which had sat more than five months. He was happy to say that there was another place where inquiries of this sort were conducted in a different manner. No man could read the report of the Committee of the House of Lords upon this subject without seeing that they had most carefully and minutely embraced this question as it affected the Act of 1844; that they had expressed their opinions clearly and decidedly upon it; and backed those opinions by statements of facts received from men who must be looked upon as among the most eminent financial and commercial authorities to be found in this country. He (Mr. Newdegate) could not say he thought the inquiry searched deep enough; for the real difficulty, he believed, originated in the Acts of 1816 and 1819, to which the Act of 1844 was by its author termed merely a supplement; but in tracing the effects of this Act of 1844, the Committee of the House of Lords had proceeded much farther than had the Committee of that House, and had expressed their concurrence in the statements of those witnesses who had declared it to be their opinion that the restrictions on the Bank of England against the free use of silver bullion, as a basis of issue, amounted to a denial of one of the most legitimate means of carrying on commercial transactions. That Committee had declared that they thought the limitation to 14,000,000*l.* was an untenable principle, inasmuch as it was unquestionably adapted to inflict on this country very serious consequences at periods of such emergency as that under which they suffered during the last autumn. If the Committee of the House of Lords, therefore, were correct in the opinion they had expressed, the retention of this limitation to 14,000,000*l.* was evidence of a marked determination to produce distress, unless this country should be disposed to sacrifice immense amounts of its capital and property to procure bullion. They were tied down, in fact, by this system to a dependence on the foreign exchanges and the balance of trade. The hon. Gentleman then contended, that such had been the effect of the system, that up to the 5th of July last the prices of commodities and the remuneration of labour had never recovered from the depression of last winter; and if it was the will of Providence that the present harvest should be an unfavourable one—that there should be not only a bad harvest, but a failure of the potato crop—he asked the House whether they would not at once say that they would be ready to take into their consideration this great subject as soon as they should meet again; and he put it plainly to the Government, whether they were or were not prepared, in the meantime, to extend to the commercial interests of this great country that assistance to which they had so strong a claim, and which had been tardily yielded under the pressure of imminent danger to the solvency of the Bank last autumn. In referring to the value of British and Irish manufactures and productions, the hon. Member here proceeded to show the great depreciation which had taken place in them during the last and the present year. He found that the average real value of our exports in the two years ending with the 5th of July, 1846, was 58,884,404*l.*, and that the average official value of the same was 133,037,945*l.* He found, too, that the average real value of our exports for the two years ending with the 5th of July, 1848, was 55,938,764*l.*, their average official value for the same period being 130,026,408*l.* It appeared, consequently, that there was a falling-off in our exports, in the second period, below those of the first period, of 2,945,640*l.* (real value); and also a diminution of the quantity (or of official value) of only 3,011,537*l.*, instead of 4,807,364*l.*, which would have been the diminution in the quantity, had the price, as indicated by the real value, remained the same as in the first period. As it was, however, this statement showed a depreciation of 7 per cent. But if they compared the exports of the two years of the last period with each other, they would find that they exported—

	Real Value.	Official Value.
5th July, 1846–1847,	£58,142,465	£128,974,357
1847–1848,	53,735,064	132,078,459
Difference,	£4,407,401	£3,104,102

This, as they would observe, showed a falling-off in our exports in 1847-1848, as compared with the preceding year, of 4,407,401*l.* in real value, while the official value—the test of quantity—showed an increase in 1847-1848, over 1846-1847, of 3,104,102*l.* in quantity, indicating a depreciation of 26 per cent, or about 13,000,000*l.* sterling; and if they added to this the diminution of real value, or money received for the exports of 1847-1848 below that of 1846-1847, amounting to 4,407,401*l.*, they found a loss upon the export trade of this year alone of 17,000*l.* as compared with last year. Now he believed it was impossible that they could dispute the accuracy or the fairness of that estimate; and he had adduced it for the purpose of following it up with the expression of a hope that, with the evidence of such a sacrifice before them, that House would not be tempted by the hon. Member for Surrey (Mr. Drummond) to laugh off this question, or thus to insult the feelings of the suffering commercial interests of this country. With reference to our imports, too, he found that while the importation of corn had this year diminished below that of last year by 4,040,367*l.*, our imports of other foreign goods had, on the contrary, increased by 6,766,210*l.* (official value). When he showed them, then, that the imports of this year had not fallen short of those of the last, notwithstanding the diminished importation of grain and bread stuffs, but still largely exceeded the value of last year's imports—when he showed them also the great falling-off which had taken place in our exports, and the great depreciation of their value — and when they knew that, by the bad currency system of this country, its prosperity and the employment of its people depended on the balance of trade bringing to these kingdoms a great amount of bullion, by which alone our industry was unshackled from the forced lethargy inflicted upon it by the refusal of banking accommodation and monetary means, which our present system entailed when bullion was abstracted from the country by an adverse state of the exchanges—he asked them if the prospect of a failing harvest, and the importation of a great quantity of corn, for which they would have to pay, not in manufactures, but in gold—he asked them if such a prospect for this autumn did not amply justify the right hon. Gentleman the Member for Stamford in praying that House to give an assurance that, at the earliest possible period, the important subject which he had brought under their notice should receive their serious consideration? But, then, he was to anticipate, perhaps, that some hon. Member would get up and ask what the currency had to do with this. The right hon. Baronet the Member for Tamworth himself might, as on a former occasion, say, perhaps, that "he hoped there would be an export of bullion, as it would lead to an increased demand for our manufactures." He (Mr. Newdegate), however, did not find that such increased demand for our manufactures followed the great export of gold of last year—bitter experience had shown them the contrary. [An Hon. MEMBER moved that the House be counted, but there being more than forty Members, Mr. NEWDEGATE resumed his argument.] He would take the hint which had been given, and sooner than that any abrupt termination of this discussion should take place, he would at once resume his seat, apologising to the House for having so long trespassed on their attention, and trusting that they would not allow themselves to be deterred, by ridicule, or by attempts to "count out," from the consideration of a subject, their neglect of which they could not themselves justify, and the people of England would not excuse.

The CHANCELLOR OF THE EXCHEQUER said, that no man entertained a stronger opinion than he did on the importance of a discussion relating to the monetary laws of this country, and no question of greater moment could possibly occupy the attention of the House. He did not deny the right of the right hon. Gentleman to introduce this question as early as he pleased next Session; but the course which the right hon. Gentleman was now taking, seemed to him most extraordinary, and, as the hon. Member for West Surrey had said, a most fruitless course. The right hon. Gentleman would have it in his power at the beginning of the Session to bring the question before the House in any shape which he might think proper; and he could not conceive what possible advantage the right hon. Gentleman could gain by a Motion pledging the House to take the subject into consideration early next Session. The right hon. Gentleman did not advance a single step towards the consideration of the question. It might also be inconvenient to give a pledge which circumstances might render it difficult to fulfil; and yet, whether the pledge was given or not, it would be equally in the power of the right hon. Gentleman to bring the matter under the consideration of the House. The right hon. Gentleman gave no reason for asking the House to make such a pledge, and declined even to state his own opinions on the matter. He should not recommend the House to negative the proposal of the right hon. Gentleman, but he should take another course, and move the previous question; thereby expressing the extreme inconvenience of pledging the House in one Session to consider any subject in a subsequent Session. The right hon. Gentleman objected to the formation of the Committee; but when he looked at the divisions, he thought he must be acquitted of the charge that he had named a Committee with an overwhelming majority in favour of the Act of 1844. It turned out that the most trying questions were carried only by a majority of two. The right hon. Gentleman seemed to think that the report of the Committee ought to have proceeded upon the opinions expressed by a majority of the witnesses examined, and that no discretion whatever was to be exercised by the Committee. But when was it ever heard of that a jury was debarred from taking into consideration the value of the evidence given before them? If a Committee was not to come to a conclusion opposed, if necessary, to the opinions expressed by the witnesses, it was perfectly useless to appoint any Committeee as a deliberative body, and the only thing necessary would be to appoint a shorthand writer to take down the evidence. He did not think that the appointment of this Committee had been without advantages. His wish was that the evidence taken before the Committee should lay before the House facts which would enable them to come to a conclusion on the subject; and when the proper time arrived for bringing the question before the House, for the purpose of obtaining a practical decision upon it, he had no doubt that the value of this information would be appreciated. The right hon. Gentleman had stated that the commercial distress of 1847 was not traceable to the Act of 1844. [Mr. HERRIES: With one qualification.] He admitted the qualification, but it did not affect the general question. That declaration of the right hon. Gentleman was quite borne out by the evidence given before the Committee, though it was not consistent with the language held in November, 1847, when the commercial distress was attributed to the Act of 1844. The report of the Committee of the House of Lords, to which the right hon. Gentleman had referred, assigned precisely the same causes for the distress as did the report of the Commons' Committee; but stated them more fully. Among other causes to which the distress was attributable, the report of the Lords' Committee referred to railroad calls; and he mentioned this because both his hon. Friend the Member for Westbury and himself were blamed for presuming to think that railway calls withdrew capital from other pursuits. Mr. Anderson, who was examined before the Committee, said that the houses which had failed in Scotland had been generally engaged, more or less, in railway speculations. With regard to the Act of 1844, Mr. Gurney said distinctly that, in his opinion, it had nothing to do with the commercial distress. The failures, he stated, were not owing to that Act at all. The hon. Member for Warwickshire said that the Act of 1844 had caused the failure of thirty-three solvent firms; whereas Mr. Gurney's evidence showed that up to the end of September the Act had nothing to do with the failures; and almost all the great houses alluded to by the hon. Member failed before the end of September. The evidence of the Governor and Deputy Governor of the Bank of England, of Mr. Gurney, and others, bore him out in saying that the pressure in April, 1847, arising from the importation of food, was no more than was required to adjust the foreign exchanges. All the evidence taken before the Committee showed that any interference on the part of the Government at that time would have been most unwise. Mr. Glyn considered that the pressure in April, 1847, arose principally from the large importation of corn and other necessary articles of food, and that the foreign exchanges having been affected by the operation of those causes, "the pressure was necessary, and was carried only to the extent required for the proper readjustment of the foreign exchanges." It was true that afterwards, in October, there was great alarm; according to the evidence before the Committee, in the middle of October, 1847, a great change took place; but before that time the Government was not justified in interfering. On the 25th of October the letter of the Government was issued, and the Committee had expressed an opinion in favour of that letter; and he thought the evidence taken before both Houses confirmed that opinion. He admitted that there was to be found in the evidence opinions adverse to the Bill of 1844; and no evidence upon this point was entitled to more weight than that of Mr. Gurney. But Mr. Gurney said he was favourable to the principle and theory of the Bill, at the time it passed; and it was only from experience under the Bill, that he had come to a different opinion. But the grounds which Mr. Gurney had assigned for his opinion did not support it; and this showed that it was the duty of a Committee not to take the opinions of witnesses, but to weigh the facts upon which they founded their opinions; and he said that the Committee were bound to come to a conclusion opposite to that of some of the witnesses, on the very facts and grounds they had themselves stated. With respect to the operation of the Act of 1844, in the case of a drain of gold and adverse foreign exchanges, all agreed; the right hon. Gentleman and the House of Lords' Committee agreed that in the event of a drain of gold, contracting the issue of paper was the only legitimate remedy; and that, if the Act of 1844 was not law, such contraction ought to take place. The hon. Member for Warwickshire had denied the possibility of an issue of paper raising prices. [Mr. NEWDEGATE: No, just the reverse.] Then, under certain circumstances, if the issue of paper tended to promote undue speculation, that would be mischievous to the country. If there were any point upon which the witnesses agreed, it was in respect to the advantage which the Act of 1844 provided by limiting the issues of country banks. Now, if the unlimited issue of country banks was an evil, which had produced mischief, the issue of paper by the Bank of England, without being checked by the deposit of bullion, would produce similar effects. The Act of 1844 was charged with not providing for the exigencies of private credit; but the Act of 1844 did not impose any unnecessary restriction; if extraordinary circumstances arose, they would be provided for. The evidence of Mr. Glyn showed that the crisis of October, 1847, was very like that of 1825; the notes in the hands of the public at that time amounted to 4,000,000*l.* more than the circulation required. Mr. Horsley Palmer said "he believed that there were nearly 2,000,000*l.* of notes issued in October, 1847, merely for the maintenance of credit, and not required for circulation." To come to the question of the means necessary to support credit in cases of extreme panic and alarm, different persons entertained different opinions upon this head, and he should like to hear what the doctrine of the right hon. Gentleman was. Mr. Took deprecated the issue of paper to support credit, and contended that it was no part of the functions of the Bank to support public credit, and that they departed from their proper functions when they attempted to do so, except in times of panic and alarm, which were exceptions from all rule. He should be glad, therefore, to know the principles which the right hon. Gentleman proposed to lay down for such cases. In extraordinary times extraordinary measures must be resorted to. In October, 1847, to what extent did the necessity exist, and under what circumstances not applicable to other cases? Let them read the evidence of Mr. Anderson:—

> "Were those houses which have suspended payment during 1847 and 1848, generally engaged in railway speculations?—Yes, almost in every case, more or less.
>
> "Their accounts have, I suppose, a good deal come under your notice?—Yes; when I say railway speculations, I should perhaps say speculations in shares as well as railway shares; but the railways were the great source of speculations?
>
> "Did you find that parties drawing bills took unusual means of obtaining money for the purpose of carrying on railway speculations?—Yes; a considerable part of the loss sustained by the bank with which I am connected, arose from that cause, from parties ostensibly drawing bills for their business transactions, which turned out upon their failure to have been drawn against railway speculations; they were represented to be business bills, but in reality they were drawn in order to support speculations in railway shares.
>
> "Will you explain how that was done?—A cotton manufacturer connected himself with a cotton twist dealer, and the one drew bills upon the other, which we supposed were for the purchase of twist for his manufactory, and it turned out to be nothing of the kind, but merely connected with speculations in shares."

This was a fictitious credit, B drawing on A, and A drawing on B, until at the end the bubble burst, and this would ever be the case where the issue of paper was not based upon bullion. The right hon. Gentleman proposed to depart from the law, in order to support credit, by relieving the Bank of England from the restrictions imposed upon it by the Act of 1844; he (the Chancellor of the Exchequer) objected to that principle, and he thought it extremely important that the Act of 1844 should be maintained. If paper was to be the representative of gold, he wanted to know the relation which the right hon. Gentleman wished should subsist between them? The right hon. Member was content with the Bill of 1819; but the witnesses said, "If you wish to have the Act of 1819, you must have the Bill of 1844, for, without the Bill of 1844, the Bill of 1819 could not be carried out;" and that was his opinion; that the Act of 1844 was the necessary complement of the Act of 1819, and indispensable to carry its principle into effect, namely, the convertibility of paper into gold. All authorities had agreed that it was unadvisable to leave the regulation of the currency to the discretion of the Bank of England, and yet that was the proposition contained in the Lords' report. On the whole, the best course which could be taken was to leave the Act of 1844 untouched; and if any case of emergency should arise similar to that of 1847, the Government would on their own responsibility do what might seem best to them under the circumstances. That view of the question was confirmed by the evidence which Mr. Gurney gave before the Committee. Having now expressed the opinions of the Government upon the subject, he felt it unnecessary to occupy the attention of the House at greater length, and therefore would conclude by saying that whenever the right hon. Member for Stamford should think proper to bring the question forward again with a view to a practical result, he (the Chancellor of the Exchequer) would be prepared to discuss it to the best of his ability.

Mr. SPOONER said, he approached the subject with unfeigned embarrassment, not on account of its difficulty, not because he felt any doubt as to the opinions which he had so long entertained, but because he knew that he differed from a large number in that House for whom he entertained the greatest respect. The right hon. Chancellor of the Exchequer thought his right hon. Friend the Member for Stamford had not laid any grounds for the Motion which he had submitted. In his opinion he had laid very strong grounds. It was not that any immediate practical consequences were expected to result from it; but the public expected some pledge to be given as to whether the question was to sleep and slumber on, or whether the House was prepared to give that consideration to the subject which, whatever might be the feeling of the House, the nation regarded as one of deep importance. His right hon. Friend never asserted that the Act of 1844 was the sole cause of the distress which afterwards occurred, but that it greatly aggravated that distress, and increased the panic, which would have existed, but not to the same extent, without it. He differed altogether from the right hon. Chancellor of the Exchequer as to the policy of leaving the power of authorising extraordinary issues entirely on Government responsibility. The law, in his opinion, should be so constructed that under no circumstances should its suspension be required. It had been asserted that the right hon. Baronet the Member for Tamworth, in introducing the law, contemplated its possible suspension; but was it to be believed that he would have secured the acquiescence of the House if he had told them that it was but a fair-weather measure? Why, they were told that it was to stop panics and create certainty in commercial transactions. It was to tell the country what a pound was. Talk of convertibility and public faith indeed, when a latent power, unseen and unknown, was suffered to exist, empowering the Minister of the day to change and alter the law as he might think fit, according to the emergency! But the Chancellor of the Exchequer had told them that nothing short of such an emergency as that which had lately occurred would justify a Minister in taking such a course; so that on the recurrence of a similar state of things they were again to behold a sacrifice of 250,000,000*l.* of property. They had been told that Mr. Gurney approved of the principle of the Bill; but in his evidence that gentleman said that the extent of insolvency and number of failures were greatly increased by the additional pressure occasioned by the Act of 1844. The evidence of Mr. Horsley Palmer was to the same effect, and was corroborated by all the other witnesses, except the four who supported the Bill. Mr. Jones Loyd was a man entitled to every respect; but he was the author of the Bill, and no man was disposed to give up his own crotchets. The hon. Gentleman then referred to the evidence given by Mr. Jones Loyd before the House of Lords, for the purpose of showing that even he was of opinion that in certain circumstances a relaxation of the Bank restriction might safely be made. He objected to any system under which such deviations from the avowedly laid down rule were permitted, and under the effect of which their commerce and manufactures were at present suffering. A monetary system ought to be so arranged as to regulate itself, and prevent such crises of ruinous distress as this country had recently experienced; and it would have been far better if the Chancellor of the Exchequer had met the Motion with a direct negative, declared that the Act of 1844 was right, and that he was determined to abide by it. The House would bear in mind that there was at the present moment a large mass of the labouring population out of employment, and that it was most dangerous to allow them to swell the numbers of discontented and disaffected persons with which the country was at present afflicted. He should find it necessary, however, to illustrate his opinions by reference to a much earlier period than the Bill in question. He must begin his history at a period still further back—at the period of 1810–11. He was, by means of those facilities which are allowed to strangers, an anxious auditor of the debates which took place in 1810–11. He formed his opinions then, he had maintained them ever since; and he claimed that attention for his opinions which was due to their being formed, and consistently entertained through a long and not idle life—a life chiefly spent in commercial pursuits. To all the principles which were then laid down by Mr. Horner, he (Mr. Spooner) gave his unqualified assent. That distinguished man then told the House that the time had come when the depreciation which had been going on, must be arrested; that, if not arrested, it would involve the nation in inextricable difficulty; and he called upon the House to state a time when they would return to cash payments. The Minister of the day —an able and an excellent man—and one who could never be referred to in that House without deploring his untimely fate (Mr. Spencer Perceval), that Minister met the proposition of the hon. and learned Gentleman in a manner that was unworthy of him, a manner with which he totally disagreed, and a manner that could not be supported by argument. He met it with a declaration that there was no depreciation, and that a one pound note and a shilling were, for all legal purposes, equal to a guinea; and, following up that declaration, it was resolved that there should be no alteration in the currency. The same question was ably handled by a gentleman whose talents and whose worth had, perhaps, never been surpassed, and by one whom he especially revered, because, though so much his junior, he even then honoured him (Mr. Spooner) with his friendship—he alluded to the late Mr. Henry Thornton. That gentleman, in perhaps the ablest speech that was ever made upon the subject, agreed in all the principles that were laid down by Mr. Horner;

but he disagreed with him in his practical conclusions, and in that disagreement he (Mr. Spooner) thoroughly concurred. Mr. Thornton showed that it was impossible to carry out those principles so long as the country was in a state of war. But he did more. He showed that even then, though the depreciation had not nearly reached the point to which it afterwards descended, and though the debt was not nearly equal in amount to that to which it afterwards increased, yet he laid down the principle that justice to debtors as well as creditors was involved in the question; and he hazarded an opinion, namely, whether, considering the extent of depreciation and the amount of debt, justice had not even then passed over to the side of depreciation. This state of things went on till 1819 without any inquiry as to the effect the measure would have on the debts and credits of the country. Mr. Harmer, a Bank Director, examined before the Committee of that year, was expressly told that his advice was not asked as to the measure, for upon that the Government had made up their minds; and all they wanted to inquire about was the best mode of carrying it into effect: without any other inquiry they returned to that system which in 1797 Mr. Pitt found it necessary to abandon, while the national debt had in the mean time been increased threefold, and the depreciation, though perhaps no accurate estimate could be formed of it, had gone on increasing to an enormous extent. Ever since that time they had never had real regular permanent prosperity; but the history of the country had been a series of alternations of prosperity and distress. In 1816, they prepared for an alteration of the standard, and then, for the first time, they adopted a standard which had never before been used in this country. Before, they had a conjoint standard of gold and silver, so that the debtor had the option of paying in silver as well as in gold—he might pay in the cheapest coin he could get, and that which was least likely to leave the country, for silver was much surer to remain in the country than gold. But there was another alteration in the standard, and one which was more important still. Formerly, gold and silver, when once coined, must remain coin for ever; they could not be melted down—at least it was forbidden by law; and though he was aware it was sometimes done, yet it was never done by persons who had any regard for moral character—it was done at considerable risk, which was only incurred for the sake of a great profit, and the high rate of profit constituted a guard against melting. But now, coin was left to be dealt with as a mere matter of profit; and a profit of 6*d.* in the pound would be enough to send all the coin out of the country. In 1819 the Act of 1816 first came into operation. In 1820, every one, at least every one who is old enough to remember the period, must be aware of the distress which then occurred, and which continued down till 1822, when Lord Castlereagh told them the distress arose from the too sudden application of the Currency Bill of 1819; and he introduced some palliatives, some modifications, of the measure, but still the Bill itself remained unrepealed. The principle upon which he acted, was largely to increase the Bank issues, with a view to restore confidence, and to stimulate what his Lordship called "wholesome speculation." This was followed by the ephemeral prosperity of 1825, when Mr. Robinson, now the Earl of Ripon, made his celebrated speech of that year. He (Mr. Spooner) was among the right hon. Gentleman's auditors on that occasion, and he well remembered the remarkable words in which he affirmed the sure and certain prosperity we enjoyed, "not evanescent, but founded on a rock—a prosperity dispensed through the ancient portals of the constitution to a grateful, a generous, and a loyal people." And yet, in the beginning of the year 1826, the same Minister came forward to depict the heavy calamities which had befallen the country—the anvils all silent, the cotton-mills all closed —and this was within a period of six months after the right hon. Gentleman's glowing description of the sure and certain prosperity which he said the country was basking in. He stated these things to show that all these calamities which had befallen the country might be traced back to the Bill of 1819. He might be taunted then with the inquiry, what would he do? Would he propose that debtors should pay less than they had contracted to do? His right hon. Friend (Sir R. Peel)—if he would permit him to call him so—would ask him, as he had asked him before, "What is a pound?" That question was easily enough answered. He would tell him that a pound was a piece of gold of a certain value, and stamped in a certain way; and having given that answer, he would ask what that had to do with the question? The real question was, what ought the pound to be? and he said that in 1819 they should have made that inquiry. They should have asked what was the pound in which the 800,000,000*l.* of national debt was created, and in which all the other debts and mortgages throughout the country were created. They were then told that the difference to the debtors did not exceed 4 per cent; but he believed there was not a man who would now be bold enough to say that that difference was less than 30 per cent. Those who advocated an alteration of our monetary system were charged with injustice. He repudiated that charge, and fixed it upon those who maintained the present system. In 1819, when in practice you adopted the present standard of value, you declared that the only difference the alteration would make in the value of property would be 4 per cent; and you then thought you were doing justice by so establishing that standard. If you thought you did justice then, how can you say you are doing justice now by maintaining that standard, which no one will at this time assert has affected the value of property less than 30 per cent? It is evident, therefore, that a great mistake was committed in 1819—a mistake perpetuating a great injustice upon the debtor interest of the country. You did not intend to produce the effect you have produced. The debtor interest, misled by your statements, acquiesced. Is it right to hold that interest to a bargain made in ignorance of the effect it would produce? Is it safe to the creditor interest to endeavour to force the full completion of that bargain, which never can be carried out without general ruin? He regretted that the right hon. Baronet the Member for Ripon was not in his place. He did not mean to taunt him with anything that he had published in his celebrated pamphlet on this subject—he wished to refer to a conversation which passed in that House; and he felt there was no breach of confidence in alluding to it, for the whole passed in open conversation. It was after the evidence given by Mr. Pease, which hé conjured hon. Members to read, of the injurious effects of this Bill in the North of England. He (Mr. Spooner) turned to Sir J. Graham and said, "What do you think of the evidence of Mr. Pease?" He said, "It is very alarming—it is very distressing." "Ah," rejoined he (Mr. Spooner), "it is your fault, Sir James; if you had but maintained your first conviction—if you had been true to your principles, you might have been Prime Minister at this day; and you would have saved your country, which is now involved in all this distress." What was his reply? He said, "I have not altered my opinions on the Bill of 1819. I said it was a dead robbery then, and I say it now—I remain still of the same opinion which I published, that the Bill was a dead robbery of all the debtor interests of the country." It was true, the right hon. Baronet went on to say, that it was done—that the system had gone on so long, they would now create fresh injustice by undoing it. With that opinion he entirely disagreed. It was not done—it was far from being done. They had never seen the Bill of 1819 extensively brought into operation for more than three or four years at a time; and so soon as things began to find their level, as it was called, under that Bill, dire necessity compelled them to relax its operation; that was their real position, and that led him next to consider the question of the exchanges. They were told they must regulate their issues by a watchful and careful attention to the rate of the exchanges. If so, he should like to know what they were to do during the next winter. Was there a man in that House who had taken the least pains to ascertain the state of the crops, who anticipated anything else for the coming winter than an immense importation of foreign corn? and how was that to be paid for? Perhaps some hon. Gentleman opposite would suggest, by their manufactures. But, he would ask, did their manufactures go out when they last had occasion to import foreign corn? No; their bullion would be required. The right hon. Baronet near him (Sir R. Peel), said, "Let the gold go out, he wished it might go; it would come back again." Aye, it would come back again, he had no doubt; but at what cost? The system under which we were acting had lately produced a reduction of 250,000,000*l.* in the value of property, in order to secure an amount of 15,000,000*l.* of gold in the coffers of the Bank of England. This was no imaginary loss, but was provable by carefully considered statistics. He did not mean to say that such a sum went out of the country; but the catastrophe that took place shook the credit of the country, and with the credit of the country prices fell, so that the endeavour to get back the 15,000,000*l.* of gold had actually cost the country 250,000,000*l*. But there were still other circumstances to be considered—were the Irish to be allowed to lie down and die? Why, the whole country would resound with cries of shame upon the Minister who should leave the Irish to lie down in despair. But with the present system of currency, he defied them to send the money which would be necessary for their relief. It was true that gold might be employed to bring corn into the country, but as the gold went out, the notes would flow in; and he must remind the House that upon the supply of notes depended, in great measure, the employment of the poor throughout the country. So that while they brought foreign corn into the country by the contraction of the paper money, they deprived the poor of the means of purchasing it; and even checked the manufacture of those articles which must ultimately be exported to bring back the gold. You may bring in the bread, you may show the suffering labouring classes the loaf; but the very means which enabled you to set the loaf before them, took away the means of purchasing it. Those who agreed with him were asked would they support an unlimited issue of paper money? He had explained his own views of this subject in the resolutions which were published in the first report of the Committee. The right hon. the Chancellor of the Exchequer stated, that the Bill of 1844 was intended to prevent speculation. [The Chancellor of the Exchequer: No!] He was much mistaken if the right hon. Gentleman did not make an appeal to Members whether they would, by rescinding the Bill of 1844, encourage unlimited speculation. He would make this appeal to his right hon. Friend (Mr. Herries), but that he observed he was now reposing in unlimited slumber. The right hon. Gentleman the Chancellor of the Exchequer, when he spoke against overtrading and speculation, forgot that it had all arisen under the very Act which he was defending. And he also omitted to state, that had the Bank of England, during the late crisis, been empowered to make use of the gold in their coffers, they could have materially lessened, if not wholly averted, the panic which had been so destructive to the commercial world. Yet we were told we must come again to the extreme point before the Government would feel itself justified in interfering as they did last autumn. Unless the currency were extended, a heavy responsibility would rest upon the Government. But the necessity of preserving convertibility was urged in objection to this act of justice. His idea of convertibility was that a note should always be convertible into what a man wanted. If it were a legal tender, if it would pay all taxes and all debts, and purchase what any man required, that was sound convertibility, not into gold only, but into all the practical necessities and purposes of life. He implored the noble Lord not to be led away by the vain philosophy of the day; but, like Mr. Pitt in 1797, to rise above the trammels, and adapt his proceedings to the circumstances of the times. Let the gold go abroad to bring in food, but at the same time let there be a circulating medium issued by Government, and limited by Parliament to the amount of annual revenue—this would, in fact, be guaranteed by all the property of the country—and then our labourers would find that we were not only able to afford them the means of procuring food in abundance, but to dispense a large and liberal measure of relief to Ireland, and turn that discontented population into a peaceful and loyal people, and meanwhile a stock of manufactures would be accumulating, which would enable us to get back our gold again. He trusted that Parliament would not separate while Members had nothing to tell their constituents but that, when famine threatened, proposals for measures of relief were met with the previous question—that the Ministers were hesitating and doubting—that they had no opinions—and that at the approach of the storm they dared not pledge themselves to any course of conduct that might avert it. If that went forth among the people, despondency would be the consequence, and there was no knowing what might be the result. There was a remedy; let them apply it. Let them call forth the energy of the people by setting the credit of the nation free.

Sir ROBERT PEEL: Mr. Speaker, I was quite prepared to hear my hon. Friend the Member for North Warwickshire take credit to himself for entire consistency on the subject of the currency; I was quite prepared to concede it to him; but I confess I was not prepared to hear him declare that he had been a disciple of Mr. Horner, and that he still adopted every principle for which Mr. Horner contended. My hon. Friend says, indeed, that he differed from Mr. Horner as to his practical conclusion; but he assures us that in every word and in every letter of each of the thirteen or fourteen preliminary resolutions on the subject of the standard of value moved by Mr. Horner in 1811, he unreservedly concurs. Why, Sir, if there be any medium of communication between those who live and those who have departed from amongst us, Mr. Horner must now be shuddering in his grave at hearing the hon. Member's representation that the principles of Mr. Horner were in precise accordance with his own. What must be his amazement at hearing the hon. Gentleman professing to be his disciple, and at the same time contending that the circulating medium ought to represent — not gold, not silver, not capital, not anything tangible; but that which is worse than nothing—the debt of the country. Your expenditure is now 50,000,000*l.*, and to that extent my hon. Friend would issue inconvertible paper. Add 10,000,000*l.* to that expenditure, no matter whether the resources of the country can bear the additional charge, and 10,000,000*l.* more of inconvertible paper may be, according to my hon. Friend, safely and prudently issued. There need in that case be no limit to lavish expenditure — no limit to the incurring of debt; the ready means of meeting every charge are at hand—a fresh issue of inconvertible paper. My hon. Friend says the amount of that paper is limited; but limited by what? It may increase with increasing expenditure. 60,000,000*l.* of paper may be issued with as much safety as 50,000,000*l.*, provided only that the amount does not exceed the sum which is required to meet the public necessities, and that the paper, after its issue, is receivable at the Exchequer in payment of taxes. The more you expend, the more paper you may issue; and as my hon. Friend thinks that plenty of money is a never-failing source of prosperity, there not only is no check upon expenditure, but a direct premium upon it. Your paper issues would be inconveniently restricted by economy.

My hon. Friend has another theory. He contends that any amount of circulation is safe that has for its basis the land and property of the country; and this is the doctrine of a disciple of Mr. Horner.

Mr. SPOONER: I strictly limited it to the amount of your expenditure.

Sir R. PEEL: I thought I heard my hon. Friend mention the acres of the country, and the realised capital of the country, as a perfectly safe and sufficient foundation for a corresponding amount of currency. But even with my hon. Friend's explanation, his doctrine is sufficiently alarming. His inconvertible paper, limited by nothing but the extent of the public necessities, will be quite as bad as inconvertible paper issued *ad libitum* upon land and capital. The real value of such a currency will soon be correctly estimated in foreign countries, and will be sensibly felt by those who rely on the wages of labour for the means of subsistence.

But how does my hon. Friend reconcile these theories with the principle laid down in Mr. Horner's resolutions? From the practical conclusion, namely, the resumption of cash payments at the end of two years, he dissented; but he says there is not a firmer friend to the principles for which Mr. Horner contended. I shall surely startle my hon. Friend by reminding him of those principles. He must have forgotten the transactions of 1810.

Mr. SPOONER: No!

Sir R. PEEL: Very well, then, I will read to my hon. Friend some of the resolutions moved by Mr. Horner, to every word and letter of which he did and still does so entirely subscribe. This is the first resolution:—

> "That the only money which can be legally tendered in Great Britain for any sum above twelve pence in the whole is made either of gold or silver; and the weight, standard, and denomination at which such money is authorised to pass current, is fixed, under His Majesty's prerogative, according to law."

The other resolutions establishing the leading principles in respect to the circulating medium were the following:—

> "7. That under the laws which constitute the established policy of this realm in regard to money, no contract or undertaking for the payment of money, stipulated to be paid in pounds sterling, or in good and lawful money of Great Britain, can be legally satisfied in gold coin unless the coin tendered shall weigh in the proportion of $\frac{20}{21}$ parts of 5 dwts. 8 gr. standard gold for each pound sterling; nor in silver coin, for a sum exceeding 25*l.*, unless such coin shall weigh in the proportion of $\frac{20}{62}$ of a pound Troy of standard silver for each pound sterling.
>
> "8. That the promissory notes of the Bank of England are stipulations to pay, on demand, the sum in pounds sterling respectively specified in each of the said notes.
>
> "14. That during the continuance of the suspension of cash payments, it is the duty of the Directors of the Bank of England to advert to the state of the foreign exchanges, as well as the price of bullion, with a view to regulate the amount of their issues.

> "15. That the only certain and adequate security to be provided against an excess of paper currency, and for maintaining the relative value of the circulating medium of the realm, is the legal convertibility, upon demand, of all paper currency into lawful coin of the realm."

My hon. Friend says, that previously to the resumption of cash payments, there had been a great depreciation of paper as compared with gold; and that in 1819, when Parliament resolved to restore the standard of value, reference ought to have been had to that depreciation, and that the public creditor who had advanced his money to the State in a currency of smaller value, had no equitable right to recover the principal, or to be paid the interest of his debt, in a currency of the full value; that the pound he advanced was not the pound of twenty shillings of lawful money, but a pound of fifteen shillings, or some other such amount.

Now, it certainly would have been possible to make some arrangement of this kind—to have formed an estimate of the extent to which the depreciation of paper had been carried during the suspension of cash payments, and, on the restoration of cash payments, to have made a corresponding reduction in the value of the currency in which the then existing public engagements were to be discharged. Such an arrangement, I say, would have been possible. Whether it would have been equitable is another question. When Parliament borrowed money of the public creditors during the war, they reserved no power to discharge the debt in other than the lawful coin of the realm. The suspension of cash payments was avowedly a temporary measure, continued from time to time, with a distinct announcement on the part of Parliament that they should be resumed six months after the ratification of a definitive treaty of peace.

Does my hon. Friend recollect the 9th Resolution of Mr. Horner? Is it one of those, every word and letter of which it seems that he has approved? It is to this effect—

> "9. That when it was enacted that the payment of the promissory notes of the Bank of England in cash should for a time be suspended, it was not the intention of Parliament that any alteration whatever should take place in the value of such promissory notes."

My hon. Friend will perhaps say, that whatever might be the legal obligation, the engagement, whether expressed or implied, was an impossible one; that the notorious fact of depreciation ought to have been recognised; and that, on the resumption of cash payments, the public creditor should have been compelled to receive the *bonâ fide* equivalent for that which he had lent. Now, I will take my hon. Friend's own estimate of the extent of depreciation. It shall have been twenty-five per cent if he pleases. In that case 15*s.* of sterling money will repay the debt of a nominal 20*s.* borrowed in paper during the suspension of cash payments. What would have been the effect of a monetary settlement founded on this basis? The debtor would no doubt have received a proportionate benefit; an amount of taxation less by 25 per cent would have sufficed to pay the interest of that part of the national debt which was incurred during the period of depreciation; but all other interests would remain unaffected. You would have called 15*s.* by the name of 20*s.*, and so far as the discharge of debt previously incurred is concerned, 15*s.* would discharge the functions of a pound; but in every other subsequent transaction, in every subsequent dealing between man and man, the intrinsic value of the silver or gold which it contained would regulate the real worth and efficiency of the new pound as an instrument of exchange. Does my hon. Friend suppose that in the adjustment of the foreign exchanges, for instance, the pound of 15*s.* would be counted for anything more than 15*s.*? that you could buy from the foreigner more than three-fourths of the goods which you buy for the pound sterling of the present day? Nay, in your own domestic transactions, always excepting the payment of debt incurred, there will be nothing gained. If the paper money is to be convertible into coin at the will of the holder, you may if you choose call 10*s.* by the name of a pound; but there will remain the same danger of excessive issue, the same risk of a monetary crisis, the same demand for timely precautions, the same necessity for contraction and for severe pressure, if those timely precautions be neglected.

It may be thought by some that these are needless comments on the doctrines of my hon. Friend—that those doctrines meet with few supporters. That may be true so far as this House is concerned. In this House my hon. Friend may be in a small minority; but out of this House, of those who talk about the currency, and write about the currency, the vast majority is with my hon. Friend. Nine tenths of those, out of this House, who want a change in the currency want substantially that which my hon. Friend wants, namely, issues of paper without the check of convertibility.

There was a witness before the Committee of the Commons whom I consider to be a fair representative of the prevailing opinions on the currency—a gentleman of the name of Salt. Mr. Salt gave his evidence with great fluency—with evident conviction of the truth of the doctrines he maintained; nor was he deficient in that quality of boldness in the avowal of his opinions, which has been ascribed to-night to the Chancellor of the Exchequer. Mr. Salt did not, I apprehend, seek to intrude his opinion on the Committee. The report says :—

> "Deputations from Liverpool and Birmingham had communicated with the Government during the period of difficulty; and your Committee thought it best to commence their inquiry by examining certain witnesses connected with Liverpool and Birmingham."

And among others Mr. Salt.

In Mr. Salt's opinion, paper money ought to be issued till you have restored prices to a remunerating level. I asked Mr. Salt whether there might not be a difficulty in determining whether prices at any given time were remunerating or not: whether the trade which was remunerating to a man possessed of capital and skill, might not be a losing trade to him who had neither one nor the other? Mr. Salt at once solved the difficulty by answering—

> "The test I would give would be when all the labourers are taken into employment." . . . "It is necessary (he said) that the money should be maintained in the country in sufficient amount to employ all the labourers of the country."

That I might not misunderstand or misrepresent the opinions of Mr. Salt, I put these questions, and received the following answers :—

> "Will you state whether I correctly understood you as saying that national paper should be issued *ad libitum* till the period when prices were remunerative, and every industrious, able-bodied man found in full employment ?—Certainly.
>
> "When that object had been achieved, you would fix your standard at that point ?—Yes."

Now, these are not the personal opinions of Mr. Salt, but the opinions of the Birmingham school of currency.

I asked Mr. Salt—

> "Is there not an association in Birmingham on the subject of the currency ?—Yes.
>
> "Though some individuals may differ from the views which you have expressed, are they not the general views of the Association ?—They are.
>
> "Did you ever hear any one dissent from them ?—I think not; at any rate, those who have dissented have ceased to dissent.

Mr. SPOONER: There were other questions put to Mr. Salt on that point.

Sir R. PEEL: There were: questions put by my hon. Friend, and I will not fail to read them. My hon. Friend, I know not why, seemed ashamed of Mr. Salt as the organ of the Birmingham school: he was very anxious to extort from Mr. Salt an admission that the opinions he gave were not sanctioned by that school. The House shall judge of his success.

> "Mr. SPOONER: Have you ever laid before a meeting of the Currency Reform Association your theory about the average value of metals forming the basis of the standard ?—I have.
>
> "When was that done ?—I cannot say exactly; but we have talked it over several times.
>
> "Did you ever get a vote of approbation upon it ?—No."

Finding Mr. Salt thus pressed by my hon. Friend, I came to his rescue with this question :—

> "Sir R. PEEL: But did you ever find anybody successfully contend against those views ?—No; I never heard anybody attempt it."

Thus ended the examination of Mr. Salt, who retired triumphant from the Committee. Perhaps my hon. Friend thinks that Mr. Salt, like himself, is a disciple of Mr. Horner.

I will now address myself to the question immediately under discussion, the Motion of my right hon. Friend (Mr. Herries). My right hon. Friend says there is an intense anxiety throughout the country on the subject of his Motion; he says the country will be deeply dissatisfied if it be met by the previous question. But why should the intense anxiety be relieved by the success of the original Motion ? My right hon. Friend proposes that we should give a pledge for the next Session: not a pledge to alter the law, but merely to take the subject into our serious consideration. When next Session comes my right hon. Friend, or any other Member, can compel us to do this by a simple notice. What do we gain by any previous pledge ? Now, this House, by the proceedings of the present Session, has not greatly added to its reputation for the practical discharge of business. We have been more remarkable for the length of discussion than for the progress of successful legislation. Many measures introduced at the commencement of the Session have been abandoned, not because they met with serious opposition, but because so much time has been spent in debate that it became physically impossible to pass them. We have arrived at the 22nd of August, and not having fulfilled our engagements for this Session, my right hon. Friend asks us to enter into new ones for the next, to draw a bill on the future, payable six months after date. And this is to be done to relieve the intense anxiety of the public. What will the public care for our pledges for the future? What proof have we given to the public that we share in this intense anxiety? My right hon. Friend's Motion stood for Tuesday last; but on counting the House thirty-five Members only were present, and the Motion was deferred until this night. In the course of this night the attendance was so limited that an attempt was made to count out the House, which failed, because there were forty-two Members who thought it worth their while to be present. What weight will be attached to resolutions for the future passed by such numbers, and under such circumstances?

And what are the arguments by which my right hon. Friend supports his own Motion? He says the vast majority of the House are gone away, that serious deliberation is out of the question—nay, he indulges in metaphor, he calls the House a wounded snake dragging its slow length along. Then being thus mutilated, had we not better creep out of public notice as quietly as we can? Why give ourselves the airs of a boa constrictor? Why enable my right hon. Friend to complete his quotation by ending the song of the Session with his own very "needless Alexandrine?"

I should be sorry, however, to rest my objections to the Motion of my right hon. Friend merely on account of its being inopportune. When the time for discussion shall arrive, I shall defend to the utmost of my power the Bill of 1844, and the restrictions which it imposes. Even now I will shortly advert to the character and extent of those restrictions, which are presumed to be so intolerably severe. The Bill of 1844 permits the issue of 33,000,000*l.* of paper without the previous deposit of a single ounce of gold, as a security for its convertibility.

The Bank of England may issue of bank notes . . .	£14,000,000
The private and Joint Stock Banks of England . .	8,600,000
The Banks of Ireland . . .	6,300,000
The Banks of Scotland . .	3,100,000
Add the Seven-day and other Bills of the Bank of England	1,000,000
Total	£33,000,000

The whole of this amount of paper may be issued by these banks collectively without the previous deposit of a single sovereign. All that the Act of 1844 requires is, that if an additional paper currency beyond the 33,000,000*l.* be required, the excess shall be issued upon coin or bullion. Suppose that, in addition to the 33,000,000*l.* of paper above referred to, an issue of 15,000,000*l.* is required to conduct the monetary transactions of the country, the 15,000,000*l.* of paper must be secured by a previous deposit of the precious metals. The total issue of paper will thus be 48,000,000*l.*, the whole payable on demand at the will of the holder, and based upon a foundation in coin of less than one-third of the aggregate amount. Is this an intolerable restriction on the issue of paper money?

You object that the 15,000,000*l.* of gold and silver are a dead weight, a useless and unprofitable incumbrance for which no value is received. They are no such thing. In the first place, the notes issued as an equivalent, being the certificates that the coin is deposited, form a part of the circulation of the country. But, in the second place, look to the extent of paper credit in this country. (I am not speaking of bank-notes merely, but of all transactions resting upon credit, of promissory paper of all descriptions): look to the extent of speculation, to the manner in which business has been conducted by mercantile houses of great eminence, and then judge whether a deposit of the precious metals, intended to maintain the value of that portion of your paper credit which constitutes the currency of the country, can be deemed a useless incumbrance. I so totally differ from those who consider the necessity for making and maintaining that deposit to be the cause of undue pressure, that I contend that it is in consequence of that deposit, in consequence of the confidence which it inspires, that the issuers of paper are enabled to give an amount of accommodation which they could not otherwise give consistently with their own security. But the accommodation has not been sufficient to prevent calamitous failures and severe commercial distress. It has not; but is the Act of 1844 responsible for this? What was the evidence given by Mr. Anderson and Mr. Glyn and others thoroughly acquainted with commercial credit, and the transactions connected with it? Mr. Anderson, the manager of the Union Bank of Scotland, was asked, "Were the houses which suspended payment during 1847 and 1848 generally engaged in railway speculations?" He answers, "Yes, almost in every case more or less." Mr. Anderson said, that a considerable part of the loss sustained by the Union Bank arose from parties drawing bills ostensibly for their business transactions which in reality were drawn to support speculations on railway shares; he said that such bills were drawn to as great an extent as discount could be got for them, and that the practice continued until the general crash came.

Mr. Glyn, speaking of the houses connected with the East India trade and the Mauritius trade, said, "that with some few exceptions (and there were exceptions), he was not prepared to say, those houses ought not to have failed"—"that so far as he was connected with any of them, there is none that ought not to have failed."

What law can be devised that shall prevent the natural consequence of extravagant speculation in railway shares, or the failure of houses which are insolvent through their own improvidence? That natural consequence is commercial distress—distress extending to houses that are solvent and not improvident—and there may be, and probably will be, no remedy for that distress, without passing through the ordeal of what is called restriction and pressure.

But the Bill of 1844 has, it is said, caused a degree of pressure which would not otherwise have taken place. I believe it has; that it compelled the Bank, in April, 1847, to do that which it ought to have done before April, namely, to restrict discount, and to raise the rate of interest, and that it was the salutary pressure, enforced by the Bill of 1844, which prevented a degree of pressure ten times more severe, that would have been deferred only for a very short period of time.

My right hon. Friend has referred to the recent reports of the Committees of the two Houses. I shall not advert to that of the Commons' Committee, because I cordially concurred in every word of it; but I shall impugn the report of the Lords' Committee. I shall earnestly deprecate the adoption of the recommendations of that report, the ability of which I do not contest. Of that report I may say with truth, that it is drawn up by no friend of the Bill of 1844. (I treat the report of course as the report of the Committee which adopted it.) I do not say that it is a report prepared in a spirit of unfair hostility to the Act of 1844; but it is prepared in a spirit which insures the full exposure of any defects which there may be in that Act. The report, however, declares that—

> "Many of the provisions of that Act are, in the judgment of the Committee, as well as in the judgment of the great majority of the witnesses, judiciously adapted to the purposes for which they were framed."

They are judiciously adapted according to another passage in the report—

> "To secure the primary object of the convertibility of the bank note."

Now, the Act of 1844 contains many important provisions. There is the limitation of the issues of the Bank of England, to 14,000,000*l.* upon securities; the separation of the two departments of banking and issue; the weekly publication of the transactions of the Bank; the limitation of the issues of all other banks in England and Wales, to the average amount of their issue for a preceding given period; the prohibition to establish new banks of issue in any part of the united kingdom. It is to be regretted that the Lords' report does not specify the particular provisions of the Act of 1844, which, in the opinion of the Committee, "are judiciously adapted to the purpose for which they are framed."

In two instances the report recommends a modification of the Act. It suggests, first, an extension of the issue of bank-notes upon silver, relatively to gold; secondly, the introduction of a discretionary relaxing power to be intrusted to the Bank of England, but to be exercised only during the existence of a favourable foreign exchange. The first suggestion is of little comparative importance. No great advantages in my opinion would accrue from extending the power of issue upon silver; but whether the issue take place upon silver to the amount of one-fourth or one-fifth of the total amount of bullion is in point of principle a matter of indifference.

The other suggestion, the giving a discretionary power to the Bank to relax the restrictions which are imposed upon the Bank, I consider most objectionable. I consider it to be at variance with experience, with reason, with the evidence of the witnesses most competent to give an opinion upon the question at issue. Why, in 1844, did you impose restrictions on the Bank?

Because the experience of preceding years —full knowledge of the course pursued by the Bank when the Bank had unlimited authority—a deep sense of the evils which had arisen from the uncontrolled power of the Bank in 1825, 1837, and 1839, convinced Parliament of the necessity of subjecting the Bank to peremptory restrictions. There was, in 1844, an almost unanimous impression, without which the Act of that year could not have been passed, that the discretionary power of the Bank had been improvidently exercised and ought to be controlled by law.

But it is said—The law so controlling the Bank has failed; it has been necessary to suspend it; the act of suspension is a condemnation of the law, and Parliament must make such provision as will prevent the necessity of another unauthorised suspension. I do not deny the possibility that that which has occurred may occur again; that it is not absolutely impossible that there may again be such a combination of peculiar circumstances that the exercise of extraordinary authority may be upon the whole a less evil than the rigid adherence to the letter of the law. But I contend that it is much wiser to leave the responsibility of such interference in the hands of the Executive Government, in the confidence that it will not be assumed excepting in a case of absolute necessity, than to confer by law a dispensing power upon any body of men, and to define the circumstances under which it may be exercised. In the first place, the knowledge that that dispensing power exists, and the hope that it will be exercised, will lessen the inducement which the commercial world would otherwise have to make preparation, each within his own sphere of business, for a coming period of pressure. In the second place, the giving of the dispensing power to the Bank, with a limitation of its exercise to a certain state of things, namely, that of favourable foreign exchange, will alter the relation in which the Executive Government now stands to Parliament, and will make it much more difficult for the Government to assume such a responsibility as that which it lately assumed.

If the law be left unaltered, the Government may fairly presume, that should an absolute necessity for its intervention arise, Parliament being satisfied of the necessity, will again sanction, as it has lately sanctioned, the exercise of extraordinary authority. But if you provide a dispensing power by express enactment, commit that power to the Bank, and specify the circumstances under which alone it can be exercised, the Government must consider such provision in the light of a legislative declaration against the assumption of extraordinary authority, whatever may be the circumstances which may call for it.

It is no impeachment of the law, no conclusive argument for the repeal or alteration of it, that an extraordinary combination of unfavourable circumstances has compelled the suspension of it. The possible necessity for extraordinary intervention, in order to meet the danger of such an event, or to counteract the effect of wide-spread panic, was not unforeseen. Mr. Huskisson observed many years since—

> "That by a possible combination of things the Bank might be driven to part with its last guinea not only without having checked the drain, but with the certainty of increasing it in proportion as their notes were diminished."

He says expressly—

> "That the possible cases which may call for the extraordinary intervention of power are not capable of being foreseen or defined by law."

And—

> "That the application of the remedy must be left to those who may be at the head of affairs, subject to their own responsibility and to the judgment of Parliament."

I may, perhaps, without presumption, refer also to the letter which I wrote to the Governor of the Bank, at the time that the Act of 1844 was under discussion, expressing similar views. I observed in that letter—

> "My confidence is unshaken that we are taking all the precautions which legislation can prudently take against the recurrence of a pecuniary crisis. It may occur in spite of all precautions; and if it does, and if it be necessary to assume a grave responsibility for the purpose of meeting it, I dare say men will be found willing to assume such responsibility."

A pecuniary crisis may recur; but recent events have only confirmed my previous impression that it would not be wise to attempt, by legislation, to provide a remedy. In all that is the subject of legislation, as in mechanism, and every thing connected with human contrivance, you take precautions against the dangers and evils that may arise from ordinary causes of disturbance; but it is no argument against those precautions, that some unforeseen event may disturb all your calculations, and compel the application of extraordinary remedies. Take the case of a complicated piece of machinery: you may provide a remedy for friction, or for any derangement proceeding from ordinary causes; but sudden explosion may baffle all your precautions. Commercial panic is like sudden explosion, as little amenable to any control, as difficult to be provided for by previous contrivances of human skill. Take the case of law. The presumption is that all law ought to be strictly obeyed; but circumstances so extraordinary may occur that the violation of law may be a venial, nay, a praiseworthy act. The other day, for instance, if the report of the newspapers be correct, a military officer having Mr. Smith O'Brien in his custody, brought him to a railway station, and finding a train ready to start for Limerick, desired the driver to start instantly for Dublin instead. The driver refused, telling the officer that he was not amenable to his authority. The officer produced a pistol, threatened to blow out the brains of the driver if he did not obey, and was obeyed accordingly. Now, this was a very extraordinary, but a very justifiable exercise of power. There was a suspension of the railway regulations; but it does not follow that they were unwise regulations, or that having been suspended they ought to be repealed. Neither does it follow that provision should be made for a similar contingency in future, that there should be an attempt to define by law under what circumstances military officers may countermand railway trains, and may threaten to blow out the brains of engine-drivers.

It may be in such cases as those to which I have been referring, and in cases of commercial panic also, that the remedy will be effectual for the very reason, that it has not been provided beforehand. It not only may be better calculated to meet the exigency of the case, but the moral effect of the remedy, the effect on the minds and feelings of men, may be increased on account of the sudden assumption of an abnormal and irregular authority by those who are responsible for the public safety.

I repeat, then, that experience and reason are opposed to the suggestion in the Lords' report. How far is it supported by the testimony of those witnesses examined by the Lords' Committee, who must be considered the very best authority on such a subject? The Committee examined five of the Directors of the Bank, the Governor and Deputy Governor of the Bank, Mr. Cotton, Mr. Norman, and Mr. Horsley Palmer. Being Directors of the Bank they are those whom the law controls, and they can have no prejudice in favour of restraint upon their discretion. They are also the best judges of the nature and extent of the demands which are made upon them in times of pressure to extend accommodation, and of the necessity of interposing the barrier of law against the too ready compliance with such demands. The Lords' Committee profess entire confidence not only in the integrity and good faith with which the transactions of the Bank are conducted, but in the increased knowledge of the Directors produced by experience and discussion. And certainly, if the judgment be formed on the evidence given before the Committee by Mr. Cotton, Mr. Norman, and the Governor and Deputy Governor of the Bank, that expression of confidence is fully justified. It is impossible to read the evidence given by those gentlemen, and not be struck by their intelligence, acuteness, and the exhibition by them of every quality which can fit them to superintend such an institution as the Bank of England. But the evidence of each of them is decidedly adverse to the recommendation of the Committee; it is in favour of maintaining the Act of 1844 without the slightest alteration. The Governor and Deputy Governor of the Bank declare that in their opinion "nothing could have worked better than it has done." Mr. Cotton thinks "that the Act has conferred inestimable benefits, both upon the banking operations of the country, and also upon business." Mr. Norman "would consider any alteration in the Act of 1844 highly inexpedient."

Mr. Horsley Palmer's evidence is certainly less favourable to the Act of 1844, but even that evidence scarcely supports the recommendation of the Committee. Mr. Horsley Palmer does not object to the principle of the Act of 1844, of fixing 14,000,000*l.* as the issues upon securities and the remainder upon bullion; but he objects to the want of power to relax that principle when the circumstances of the country will enable the Bank to do so, without endangering the convertibility of the bank-note. Mr. Horsley Palmer admits at the same time "that the power of relaxation goes far to destroy the principle of the Act, which renders it extremely difficult to say what should be the regulation, and when it should be acted on?" Being asked "If the restrictions imposed by the Act of 1844 were accompanied with a power of relaxation on the part of the Bank Directors, would it not be as if no restrictions existed?" he answers "Certainly." Such are the opinions of those of the Bank Directors who were examined by the Committee of the Lords. Such also are my reasons for thinking that the recommendation of that Committee that the Directors of the Bank should be intrusted with a power to relax the restrictions imposed upon the Bank in respect to the issue of paper money, is unsupported by evidence as well as by reason and experience.

I shall conclude with an earnest hope, that when the House shall again address itself to the consideration of this great question, with a view to some practical issue, they will bear in mind the great truths by which legislation on our monetary system should be governed—that they will bear in mind that trade is not carried on with paper money but with capital, or with credit, of which capital is the foundation—that the arbitrary issue of paper money is no increase of the wealth of the country—that the rate of interest must vary with the value of money and the demand for it, and cannot be permanently regulated by the Bank of England—that fixity in the value of the currency, that is, of the coin, or of the note which represents coin, and a guarantee that the note shall be at all times convertible into the precious metals, are essential to the welfare of all classes, but especially of that class which is in the receipt of the wages of daily labour. Depreciate the value of your currency, and the prices of all articles of subsistence will speedily follow the change; but there will be no corresponding rise in the rate of daily wages. The two shillings or three shillings a-day will continue to be paid long after they shall have ceased to command that amount of the necessaries and comforts of life which they did command before the period of depreciation.

This House will, I trust, continue to insist upon the maintenance of the standard of value, and upon the guarantees for the instant and certain convertibility of paper into coin. Those guarantees you cannot have without restrictions upon the issue of paper. You cannot have them without pressure in the time of commercial discredit. Early pressure—pressure compelled by law—if it be not induced by prudence, so far from being the great evil which some consider it to be, may be the only preventive of great future disaster—the only certain means of maintaining entire confidence in the paper circulation of the country.

Mr. MUNTZ would admit that, if it was proper to pass the Act of 1819, it was necessary to pass that of 1844 to prevent vacillation on the part of the Bank. In evidence given before a Committee of the House, before the latter measure was introduced, he had stated his opinions that the Bank should keep 500,000*l.* of its circulation in gold. But he had always thought the Act of 1819 a gross injustice, and it would continue so till prices were reduced to the level of 1819, which was the level of Continental prices. Were the law carried out to the letter, it would produce an explosion. If the pound sterling were to be converted into the precious metals at what he thought a just rate, a great stimulus would be given to the industry of the country; the result would be a higher scale of nominal prices. It had been said that the Act of 1844 had not aggravated the distress last year; but if not, why were its provisions relaxed? And how did it happen that the moment the relaxation took place the distress abated? For his own part he wished the Act had never been touched. It was a disgrace to the country to have a law that required touching. If it had not been interfered with, his belief was that the question would have been settled in a week, and hence he was sorry that it had ever been meddled with at all. The country might possibly allow another relaxation to take place; but he felt convinced that they would not bear it above once more, for their eyes were fast opening to the true merits of the question.

Mr. HUME had been anxious to hear the speech of the right hon. Baronet; but he confessed that, looking to what was expected from this Bill, and what he had just stated to the House, he was utterly at a loss to understand the right hon. Baronet. Much time had been taken up by the right hon. Baronet in stating the principle on which our currency was based; but that was not the question before the House on the present occasion. The Motion of the right hon. Gentleman the Member for Stamford did not require the House to go back either to 1811 or 1819. The right hon. Baronet had spoken lightly of the report of the Lords' Committee; but it was nevertheless an honest report, and in accordance with the evidence that was laid before the Committee. He agreed with the right hon. Baronet, however, that the recommendations of the Committee were exceedingly vague. The Committee were all agreed, however, that the Acts of 1844-45 did greatly aggravate the distress when the time of pressure came. Although there had been a great jumble on the part of the supporters of the measure of 1844, as to what was expected from it, and what had been its result, he begged to say, that if there was any one principle more intelligible than another in that measure, it would allow no interference with its operation; and yet ruin stared the country in the face till interference took place. This showed that it was founded on a wrong principle when it required such interference. The right hon. Baronet seemed determined to maintain the principle of his Act; he was unwilling to yield, even although every fact was against him, for, with the exception of the Bank Directors, all the other witnesses were opposed to him. With respect to the report of the Committee of that House, it was right that the public should know that the numbers in its favour would have stood exactly twelve to twelve but for the accidental absence of two Members; and taking this fact in connexion with the bearing of the evidence, it could hardly be expected that the public could have much confidence in the report. With respect to the Act of 1845, relating to Scotland, he ventured to say that there never was a more uncalled-for piece of legislation in the world. Not one single soul in Scotland was found to support it; and all the Scotch witnesses who were examined before the Committee spoke of its bad effects. After the best consideration which he could give the subject, he did not hesitate to confess his belief that the measure from which so much good had been expected did really aggravate the evils that it was intended to remedy, and he, therefore, was clear in the conviction that it was quite right to draw the attention of the House to that subject.

MR. HERRIES was satisfied, from the course which the present discussion had taken, that he was justified in bringing forward the Motion which he had submitted to the House, and he felt quite confirmed in the opinion that the question could not rest where it now was. In bringing forward the present Motion, he wanted to show that the report was not in conformity with the evidence; that purpose had been fully answered, and he should certainly draw the attention of the House to this question early in the next Session of Parliament.

Motion accordingly negatived.

House counted out, and at Two o'clock adjourned.

HOUSE OF COMMONS,

Wednesday, August 23, 1848.

MINUTES.] PUBLIC BILLS.—2° Poor Removal (England and Scotland).

Reported.—Bankrupts' Release; Nuisances and Contagious Diseases.

3° and passed:—Millbank Prison; Commons Inclosure Act Amendment.

PETITIONS PRESENTED. By Mr. Fortescue, from the Borough of Barnstaple, for an Alteration of the Law respecting the Church of England Clergy.—By Sir R. H. Inglis, from the Presbytery of Aberdour, against the Marriage (Scotland) Bill.—By Mr. Sharman Crawford, from Members of the Independent Congregation assembling in Donegal Street, Belfast, for the Withdrawal of the *Regium Donum* Grant.—By Mr. Disraeli, from several Persons connected with the Mines in St. Austell, and other parts of Cornwall, against the Copper and Lead Duties Bill.—By Mr. Cardwell, from Members of the Loyal Harmony Lodge of the Independent Order of Odd Fellows, Bury St. Edmund's District, for an Extension of the Benefit Societies Act to that Order.—By Sir R. H. Inglis, from Members of the Church of England, against the Diplomatic Relations, Court of Rome, Bill. —From the Board of Guardians of the Great Boughton Union, Cheshire, for an Alteration of the Poor Law Union Charges Bill.

NEAPOLITAN AFFAIRS.

SIR JOHN WALSH said, he had a notice on the Paper for an explanation of the circumstances connected with the recent appearance of the fleet under the command of Admiral Sir William Parker in the Bay of Naples; but perhaps the noble Lord could give some explanation which should obviate the necessity of his bringing forward that Motion.

LORD JOHN RUSSELL said, that the reason Admiral Parker was sent with his squadron to Naples was, that it had been stated that the Neapolitan Government were about to raise a forced loan, contrary to existing treaties; but the intention of contracting that loan was afterwards abandoned. Another question had, however, arisen with respect to the use of the British flag by the Neapolitan navy in seizing certain Sicilian vessels; and upon that subject also a satisfactory explanation had been given. After that a question arose as to whether certain prisoners had not been taken on board ship, and there was a doubt whether they were taken in the waters of Corfu; and Admiral Sir William Parker, not being satisfied with the explanations given, inspected the log-books of the Neapolitan captains, and then wrote a letter to the Lord High Commissioner of the Ionian islands upon the subject. When Sir William Parker last wrote to this country, he had not received any answer from the Lord High Commissioner. He begged to observe that Sir William Parker was an officer of the greatest prudence and discretion; and he thought both the Government and Parliament might fairly trust him to take any future proceedings he might think right.

Sir J. WALSH said, the statement of the noble Lord was satisfactory; but he wished to put a further question to the noble Lord, relative to the existing state of things. He wished to know whether, up to this time, Her Majesty's Government had maintained a strict neutrality between the two contending parties; or whether Sir William Parker had committed any act, either towards the King of Naples or the Sicilians, which could in any respect make England a party to the contest?

Lord JOHN RUSSELL said, that Sir William Parker had not received, nor had there gone out to him, any instructions for him to take any hostile measure with regard to either party. Sir William Parker had been sent out mainly for the purpose of protecting British interests.

SUPPLY—POLISH REFUGEES.

House in Committee of Supply.

On the question that 10,700*l.* be granted for the Polish and Spanish refugees,

Mr. OSBORNE opposed the vote. While thousands of our own people were starving we were voting this money for the Poles. The whole of this sum of 10,000*l.* was placed at the disposal of the noble Lord the Member for Marylebone. The hon. Gentleman read a list of Polish pensioners, upwards of twenty in number, who kept large and flourishing shops. One kept a tobacconist's shop, and another a bookseller's shop, and many of the wives and children of these men had pensions. It was quite time such a vote was stopped. A large expense was incurred in dispensing these pensions. The clerk in the War Office had 273*l.* for superintending the payments. He should, if he had any support, move that the vote be disallowed.

Lord D. STUART said, that nothing was more popular than to call for these reductions; but when the grant under discussion was minutely investigated, it would be found to be just and proper. The hon. Member for Middlesex had complained that the distribution of the grant was subject to his (Lord Dudley Stuart's) control. His answer to that complaint was simply that the grant was not under his control at all. All he had to do with it amounted to this: that whereas by the rules of the Treasury, when three Poles were removed by death from the list of recipients, one was allowed to be substituted in the room of the three who had dropped off, the Treasury had until lately permitted him to recommend the individual who was to be so substituted. But that system of substitution had, in consequence of the recommendation of the Committee, been wholly abolished. It was true that for a period of four years the distribution of the grant had been confided to the Literary Association of the Friends of Poland, in which he (Lord D. Stuart) occupied a prominent place. But it was more than ten years since the association had ceased to distribute the grant. His hon. Friend had complained of the expense incurred by the country in paying persons to distribute this money. During the time the distribution was confided to the association to which he (Lord Dudley Stuart) belonged, it did not cost the country a farthing. When he recollected the enthusiasm with which the vote had originally been made, and the unanimity with which it had passed ever since, he would not believe that the House of Commons would do anything so harsh, so ungracious, and so ungenerous, as now to refuse to renew it. The recipients of it were men who had sacrificed everything in the defence of those things on their attachment to which Englishmen prided themselves so highly, viz., the liberty and independence of their country. Their cause was a just and righteous one, and had been felt and acknowledged to be so on all hands; and was as much so now as when the grant was first made. Some hon. Gentlemen might disapprove of the conduct of some of the Poles in recent transactions on the Continent. He (Lord Dudley Stuart) should be ready to defend, at least, most parts of that conduct on any fitting occasion; but he did not suppose that even those who might be most disposed to censure that conduct, would allow it to influence them in dividing on a vote, intended for the relief of persons in distress who had no hand in that conduct which might be disapproved of. His hon. Friend had talked of economy, and the distress of our own people. He was an advocate for economy. He had proved it by his votes. It was by such proposals as those of his hon. Friend the

Member for Montrose, to cut down the Army and Navy, for which he (Lord Dudley Stuart) had voted, and not by withholding a pittance from brave patriots in distress, that economy was really to be promoted. Deprive these unfortunate refugees of their allowance. Would that really relieve the distress of our own people! Would it give half a glass of beer to any working man; a teaspoonful of tea, or a pinch of snuff, to any poor woman? It would not; but what it would do, would be to increase the burdens of the ratepayers in those localities which the refugees inhabited; for if they were deprived of their allowances, they would not be suffered to starve. They would not be sent out of the country under the Alien Act, which was not intended for any such purpose, and could not be so applied, even if Government were inhuman enough, which he was sure no Government would be, to wish so to use it, and the parishes would by law be forced to support these persons in the shape of casual poor. But was this grant resisted on the ground of principle, and were they determined not to spend one farthing more than was absolutely necessary for the expenses of the State? Then let them carry out their principle, and do away with the paraphernalia of a Court, with its heralds and trumpeters, a master of buckhounds, and array of tinselled courtiers. He thought it tended much more to the dignity of the Sovereign and people of this country to maintain a grant for the relief of brave patriots in distress, than to keep the splendour and empty pageant of a Court such as he had referred to. He was not one of those who cavilled at these things, or who desired to introduce into this country republican simplicity (although he thought there were some expenses which might very well be curtailed)—but he said, let those who did desire it, not to begin by withholding the pittance of the distressed. Were those who complained of this grant aware of the sums spent yearly on foreigners in no distress, on sovereigns and princes who chose to pay a visit to this country? In the course of the last few years England had been visited by almost every crowned head and royal prince in Europe. The Emperor of Russia, King of Prussia, King of the French, King of Belgium, King of Holland, and many other personages, had all honoured us with their visits. But the people who were fond of staring and gaping at these crowned heads, would perhaps not be so well pleased if they knew that they had to pay for their keep and entertainment whilst here; yet such was the fact. And not only that, but we had also to pay for their expenses in coming and going from this country. More than that—considerable expenses were incurred in moving about royal personages on board our ships from one part of the world to another. If hon. Gentlemen would examine the civil contingencies, they would find large sums expended for conveying the King of Bavaria when on a visit to the King of Greece, and the King of Greece on a visit to the King of Bavaria, and other potentates in the same way. Yet those who were so loud for economy, had agreed to these things without complaint. Many persons who did not take the trouble to inquire into facts, imagined that England was the most generous, as well as the richest country in the world. She had not shown it with regard to the Poles; there was not a country on the Continent enjoying a constitutional government at the time of the Polish revolution that had not granted large sums for the relief of the Poles. France, Belgium, Switzerland, had all done so. At the time when England originally granted 10,000*l*. to the Poles in England, the French Chambers voted no less a sum than 2,500,000 francs (or 100,000*l*.) for the Poles; and though the numbers of the Poles had since, from natural causes, decreased there as well as here, it appeared from a return he had procured from Paris, that a large sum had been annually voted by the French, and that they had voted this year about 1,200,000 francs. He did not say that we were bound to follow the example of France, nor did he deny that the Poles had stronger claims upon the French than upon this country; but he mentioned these things in order to show that in making this grant of some 8,000*l*., we were not committing an act of lavish and unheard-of generosity. What, too, had been the practice of this country? We had assisted the refugees of almost every country when they fled in distress to our shores. French, Corsican, Dutch, Spaniards, had all received our bounty; and if we turned to the report of the Committee on Miscellaneous Estimates, to which Gentlemen were fond of referring, we should find that in the beginning of this century, intead of 8,000*l*. or 10,000*l*., the sum voted for the relief of refugees amounted to the almost incredible sum of 260,000*l*.; and in subsequent years 154,000*l*., 160,000*l*., &c., were the sums voted for a similar purpose. The grant for the Poles was originally, in 1834, 10,000*l.*; it had been increased, in 1838, to 15,000*l.*; since which it had been reduced, through the deaths and departures of the refugees, to 8,700*l.*, and it was in rapid progress, according to the report of the Committee, towards final extinction, the number on the list having, in 1838, been 680, and being now reduced to 365. It must also be allowed, and that too appeared from the evidence taken before the Committee, that the conduct of the Poles in this country was, with some few exceptions, exemplary. They had been brought into their present unhappy condition by their patriotism and their virtue. He protested against being supposed indifferent to the distress of his own countrymen; but this grant did not aggravate that distress; the refusal of it would in no degree alleviate it. He therefore hoped his hon. Friend would not press his opposition to it.

Mr. HENLEY said, that until he had heard the speech of the noble Lord, he had some doubt on the subject of this vote; but he was now convinced that there was no substantial ground for the vote, for if there had been any, the noble Lord would have stated it. When these people first come to this country, there was a very universal feeling that some relief of a temporary nature should be given them; but that was a very different matter from the present proposition. The noble Lord had failed to show, first, that these parties were unable by ordinary skill and industry to support themselves; and, secondly, that they had not had opportunities during a long period of years to return to their own country. If they could have gone home, they had no business to remain here at the charge of the industrious people of this country. There were many Englishmen in trade almost unable to get a living, who would be very glad to receive, like some of these parties, a pension to assist them. Unless he heard from the Government that it was their determination to put an end to this system, he should lend his aid for the purpose of getting rid of the grant.

Mr. BRIGHT said, it appeared from the debates of the time when this vote was first granted, that it was only brought forward as a temporary one; and there was no doubt that if there were no vote these persons would seek a living by employment. He found that one Pole on the list had actually resigned. He thought that if this Pole were to present himself before the House of Commons the House would really reward him for his magnanimity. The fact was, that John Bull was considered a great milch cow, for everybody to draw from. These sums were extracted from the taxes of the country at a time when so many of the Queen's subjects, much more deserving of the consideration of that House, were suffering privation. Without striking off the vote on this occasion, he hoped that a pledge would be given that this should be the last, or the last but one, offered to the House for this purpose.

Mr. HUME gave credit to the noble Lord (Lord D. Stuart) for humane feelings; but he thought it time that some stop should be put to this system, especially as former debates showed that the vote was only proposed as a temporary one. If, however, his hon. Friend (Mr. Osborne) received a pledge from the Government that they would revise these pensions, he would advise him not to press his Amendment.

The CHANCELLOR of the EXCHEQUER said, that though this vote was proposed as a temporary one, it had nevertheless been continued from time to time, not only with the full consent and concurrence of the House of Commons, but the House had in one year actually pressed on the Government the increase of the vote from 10,000*l.* to 15,000*l.* Under these circumstances, they ought not to deal very lightly or summarily with the vote. The recommendation of the Select Committee on the Miscellaneous Estimates, not to add further persons to the list of pensioners, would be carried out by the Treasury. In some cases, where parties had received this allowance for many years, they might, in consequence of old age and infirmity, be unable to earn their own livelihood; and he thought it would be an act of inhumanity to deprive such persons of this charitable assistance. He was ready to allow that young persons, who were quite capable of earning their own subsistence, and who had recently been placed upon the list, were not fit objects for relief from this fund. He was prepared to assure the House that the list should undergo a strict revision, and that no persons who were not really objects of charity should be continued upon it. He hoped, however, that the Committee would enable the Government to continue these donations to such persons as had received them for many years, and who were in a state of health which precluded them from gaining their own subsistence.

On this statement the opposition to the vote was withdrawn, and it was agreed to.

SUPPLY—THE REGIUM DONUM.

On the question that a sum not exceeding 6,669*l.* be granted for miscellaneous allowances formerly defrayed from the Civil List,

Mr. LUSHINGTON rose to object to the first item in the vote—1,695*l.* for Protestant Dissenting Ministers in England. He said: I should not have troubled the Committee with the Motion of which I have given notice, had I not been impelled to adopt that course by the urgent representations of several numerous and influential bodies of Dissenters, who feel themselves deeply aggrieved and humiliated by the annual imposition of this grant. Before, however, proceeding further, I will take the liberty of reminding the Committee of the nature and object of this grant. This grant, usually called the Regium Donum, was originally bestowed by George I. on certain poor Dissenting ministers, or their widows, as a matter of charity, out of the revenues of the Crown; and when those resources were transferred to the State, under the existing arrangement of the Civil List, the Regium Donum became a charge on the Consolidated Fund, and has, from that time, been provided for by an annual vote in the miscellaneous estimates. The amount of the grant is 1,695*l.*, payable through the hands of nine trustees, of whom the treasurer is one, in equal proportions, to poor ministers of the three denominations of Dissenters — Presbyterian, Independent, and Baptist. By the latest accounts, the recipients were about 300 in number, the sum awarded to each averaging 5*l.* Now, the great bulk of these Dissenters, especially the Independents and Baptists, object to this grant, as subversive of the voluntary principle, which they reverence, as degrading to their character for consistency, and offensive to their views of moral and religious obligation. These objections have frequently been embodied in petitions to this House, renouncing the grant as uncalled-for, impolitic, and unjust; and petitions to the above effect have been presented this Session from the Committee of Deputies of the several congregations of Protestant Dissenters of the three denominations—Presbyterian, Independent, and Baptist, in and within twelve miles of London, appointed to protect their civil rights; the Board of Congregational Ministers, residing in and about the cities of London and Westminster; the general body of Protestant Dissenting ministers of the three denominations, residing in the same locality; from the Baptist Board, representing above a thousand churches; and other numerous and influential bodies. These petitions convey the remonstrances of between 4,000 and 5,000 ministers and their congregations, far exceeding 1,000,000 of persons. So great, indeed, is their repugnance to this oppressive act of State benevolence, that many of these Dissenters have expressed their willingness, if the Government will abandon the grant, to make up the amount by voluntary contribution. All that the immense majority of the Dissenters ask, is to be relieved from the burden and disgrace of receiving the eleemosynary benefactions of the State, either for charitable or religious purposes, in the person of some of their ministers, simply because they are needy. No doubt, at first sight, these assertions appear utterly at variance with the evidence produced before the Committee on these estimates. But who was the witness on whose sole testimony the Committee and the Government have formed their resolution to recommend the continuance of this grant to its present number of recipients? Why, Dr. Rees, the treasurer of the fund, who has the principal patronage of its distribution! He has affirmed that the acceptance of the grant is agreeable to the generality of the "denominations." Now, though I believe Dr. Rees to be a most respectable gentleman, yet I deny his affirmations on the part of the vast majority of the Dissenters; and pronounce his evidence to be rash, fallacious, and unfounded in fact. The Committee may judge from the following passages. Dr. Rees is asked:—

> "7538. Chairman: Generally speaking, I understand from your evidence you consider that this distribution gives satisfaction?—I am sure the withholding of it would be considered a very great calamity. I have reason to know that from very painful representations which are continually coming into my hands.
>
> "7539. From your experience, you conceive the applications are so numerous as to show there is no indisposition on the part of the Dissenting clergy to receive it?—Quite so; I have received repeated applications on the subject, expressive of the fears of the parties that it might be withdrawn.
>
> "7540. Is that lately?—It has been of late years; there has been no discussion very lately to occasion such communications."

The petitions to which I have referred contradict these preposterous assertions point blank; and in a paper widely circulated by the Dissenters, which I hold in my hand, it is notorious that the great bodies of Dissenters of the three denominations protested eleven times between the years 1837 and 1847 in public and solemn assemblage, against this degrading benevolence. Yet Dr. Rees, according to his evidence, unscrupulously declares there has been no discussion very lately regarding the indisposition on the part of the Dissenting clergy to receive the grant. But it remains to be explained why the Committee took only one witness notoriously and personally interested in the continuance of the grant, and did not summon a single witness likely to belie his testimony, and prove that to the bulk of the Congregational Dissenters this grant is hateful and obnoxious. And yet it is unscrupulously averred that it gives great satisfaction, not to the recipients alone, nor to their congregations only, but to the denominations to which they belong. Now, who are the men on whom this contumely is affixed, whose honour and respectability are tainted by this annual infliction? Why, men who have built 4,681 places of worship in England and Wales, the ministers of which they maintain by voluntary stipends—who possess and support fifteen theological colleges—who contribute most generously to the encouragement of missions and to the diffusion of education—who are among the foremost in every good work—who are most rarely, even the humblest among them, presented before the judgment seat as criminals—who have the privilege of approaching Royalty with their addresses—and to whose ancestors we are mainly indebted for that full measure of liberty which it is our happiness to enjoy. It is on behalf of these most meritorious members of the community that I implore Her Majesty's Government and the Committee to relinquish this oppressive practice of annually tempting certain needy though respectable persons to accept a paltry donative, to the debasement of their social condition, by the virtual infraction of their implied engagements, by the compromise of their principles, and at the sacrifice of their conscientious convictions. So much in humble and imperfect advocacy of the wishes of the Dissenters. But I very much question the right of Her Majesty's Ministers to throw away even this small sum of the public money on these hesitating recipients, whose poverty, not their will, incites them to accept it, especially too, when the grant can, in all probability, as intimated in the paper which I have quoted, be provided for by annual association. For all these reasons I now move that this vote for the payment of the Regium Donum be disallowed. Sir, this is not a party question. It is not a dispute between Whig and Tory. It is not a controversy between Churchmen and Nonconformists. The simple case is, whether Parliament will continue to brand the universal body of Dissenters of the three denominations with the mark and stigma of mendicancy, by inducing a small number of their ministers to palter with their consciences by annually accepting this miserable dole? The hon. Gentleman concluded by moving, that the charge of 1,695*l.* for Protestant Dissenting ministers in England be struck out, and the vote reduced to 4,974*l.*

Colonel THOMPSON said, this question stood in an unparalleled position. Here was a gift of money protested against as "an oppressive act of benevolence." There were some men, and some women, who would take any thing they could get; but the majority protested against taking their practice for the rule. And the same persons who protested against the oppressive act of benevolence in the shape of *Regium Donum*, were found protesting against an oppressive act of benevolence in the shape of church-rates. What then so simple, as to truck one act against the other, and let the Dissenters alone altogether? He knew there were those who denied that church-rates were any loss to Dissenters, on the ground that their estates were bought and sold for a lower price in consequence. He thought this was the very reason why they were damaged; and he only wished all the landed estates in the country, collegiate and ecclesiastical included, were subjected to a tax of 5 or of 1 per cent, for long enough, to try what the owners would say to this argument.

Lord J. RUSSELL would remind the Committee that this was a grant to a number of Protestant Dissenting ministers, and that though hon. Members came down and said that they thought it degrading, and were very reluctant to receive it, and had rather not receive it, those hon. Members were not themselves the persons who received it; they gave it up on behalf of others, and apparently without authority. This was a sum which had been granted since the reign of George I., as a matter of charity to poor Dissenting ministers; and, until a few years ago, he believed this assistance was gratefully received by the whole body. Dr. Rees was examined before the Committee which had been sitting, and was asked—

> "Are these sums much sought for?"

He answered—

> "Very much; we have a great many more applications than we are able to meet."

That did not look like that extreme reluctance, or even hesitation, with which this grant had been said to be taken. If the parties receiving this sum did not wish to receive it—if their congregations made it up by their contributions, the Treasury would find that it was not required; but instead of that, here were applicants urgently asking for it. It was divided among various ministers of the three denominations, and Dr. Rees stated that there had been in the course of three years 166 grants to Presbyterian ministers, 443 to Independent, and 461 to Baptist; so that all the three denominations had taken the grant, the shares varying because their numbers varied. The reason why this opposition was made, was explained in a subsequent part of Dr. Rees's evidence. Very respectable, and indeed eminent men among the Dissenters undertook the distribution of the grant—Dr. Rees, Dr. Pye Smith, Mr. Clayton; three men could not be named more entitled to respect for their learning and acquirements, and for their character for piety and intelligence; and they entertained no such objection to this grant. But other gentlemen, for whom he (Lord J. Russell) had a very great respect likewise, had set up what they called an Anti-State Church Association, their object being that the State should not make or authorise any grants or endowments by which religion might be at all supported; and a gentleman whom he very much respected, Dr. Cox, seceded from the body who distributed this grant, on this ground, thinking it inconsistent with the assertion of the general principle, that all church establishments should be destroyed, and no public money granted for the support of religion. That seemed to him a very insufficient ground for refusing what, as a matter of charity, appeared to be very acceptable to those who received it; and, indeed, he thought it was not the proper way of raising so great a question. If church establishments were objected to, or even church rates, the question could be brought forward by itself; but a paltry grant of this kind was not the proper occasion for raising it.

Mr. W. J. FOX apprehended that the only reason why the grant had not ceased in consequence of no application being made to the Treasury for it, was that the distribution of it was not in the least under the control of the body, some of whose ministers received it. One gentleman, Dr. Rees, was selected by the Treasury, and he nominated others, who formed with him a board utterly irresponsible to any body, clerical or lay, connected with the Dissenting interest; they had no auditors but themselves; they were men of unquestionable character, but they were in a minority in their communities. Each of the three denominations concerned had offered to contribute the money its ministers received from the grant; but the answer of the trustees had been, "If you will raise a sum, the interest of which will pay this grant permanently, we will then consent to cease to apply to the Treasury for it." That had been thought unfair and unreasonable. The Dissenters had offered again and again to raise the amount. [Lord J. Russell: For one year you mean.] It would be raised annually; they were never backward in their benevolent subscriptions.

Mr. KERSHAW said, that the noble Lord was quite wrong in supposing that the opposition to this grant originated with the Anti-State Church Association; for, on the contrary the *Regium Donum* had been repeatedly protested against long before that body was in existence. He held in his hand a copy of a resolution, adopted in January, 1834, by the united Committee of the three denominations, in which the reception of this grant was declared to be inconsistent with the principles of Protestant Dissent. It was also stated, in a paper which had been widely circulated by Dissenters, that—

> "On this subject, Dissenters of every name have expressed their unanimous opinion. The Ministers of the three denominations, conjointly and separately; the Congregational and Baptist Unions, the Dissenting deputies of the three denominations, the recent Conferences—to say nothing of county associations, and various local gatherings of Dissenting piety and intelligence—have, without one exception, joined to denounce all grants of public money in support of religion, and this grant in particular. On these occasions, no hand has ever yet been stretched out to arrest the broad seal of infamy which all have agreed that it deserves."

They objected to the grant on principle, as derogatory to their character; more especially as there were other funds belonging to each denomination appropriated to the relief of poor ministers. Why, he believed that the Independents of Lancashire alone raised more than the whole amount of the grant for that very purpose, while the Baptists in this country also raised about 1,300*l.*; both denominations doing this, in addition to the building of their chapels and schools and the support of their ministers, as well as their various institutions. Even the Welsh Dissenters, who were said to receive the largest portion of this grant, generously contributed a larger sum than its entire amount to the London Missionary Society alone. He was not authorised by the Dissenting body to make such an offer, yet such was his confidence in them in this respect, that if the Government would consent to wipe out this sum from the estimates, he would, in conjunction with another hon. Member, guarantee that the entire amount should be raised by voluntary subscriptions. In the name of the Baptists, of the Independents, and of the Unitarians of this country, he protested against the grant; and he entreated the noble Lord to accept of the offer he had made, and to relieve the Dissenting body from that which they regarded as a degradation and an insult.

Mr. GEORGE THOMPSON said: Sir, the noble Lord has informed the House that this grant has a claim upon our consideration, in consequence of its being 120 years old. Well, Sir, if I am not mistaken, its origin was somewhat as follows:—That celebrated Minister, Sir Robert Walpole, when Chancellor of the Exchequer, in 1723, was extremely desirous, in a certain state of public affairs, to conciliate the support, to some extent, of the Dissenters of this kingdom; and we find him, upon a certain day, closeted with some of the leading Dissenting ministers of this country, and promising, if they would support him and his Administration, he would at some future time—not that year, but perhaps the next—propose some measure for their exemption from the operation of certain penal statutes against them. The next thing we find with regard to the origin of this grant is, that a surgeon receives 500*l.* sterling money. It is paid to him as a surgeon, and without any knowledge on the part of those who cashed the Treasury warrant, of the purpose to which it was to be applied. We next find another of the Minister's agents closeted with nine Dissenting Ministers, representing the Presbyterian, Baptist, and Independent bodies. They receive amongst them the 500*l.* which has been paid from the Treasury, and are told it proceeds from the Royal bounty, and they become the distributors of that 500*l.* among their brethren. This, if I am not mistaken, is the origin of the *Regium Donum*, which I am extremely happy is now under the cognisance and control of the House of Commons, enabling us to discuss the question, whether this Committee will vindicate certain religious bodies from a reproach, cast not only on their principles as Dissenters, but upon their benevolence and liberality as men and as Christians. This Committee will, I trust, vindicate the Nonconformists of Great Britain from the unjust imputation which is thus cast upon them. Sir, I differ from my hon. Friend who has moved this Amendment, in the view which he has taken of this grant in connexion with the great question of the union of Church and State. I regard the grant itself, abstractedly considered, in the same light as the noble Lord, who has called it "a paltry grant;" but, although the sum be small, the principle involved in our vote respecting it is very important. It is upon that principle, chiefly, that I individually oppose this grant; namely, that it is a recognition of the right of this House to vote from the public Treasury certain sums for ecclesiastical purposes. Sir, I have been confirmed by what I have witnessed in this House, since I have been a Member of it, in the impression which I had received before I had the honour of a seat in it, that the introduction into it, whether by the proposal of grants of money or otherwise, of religious questions, is the great impediment to legislation, and the principal cause of the protracted and acrimonious debates that arise upon the floor of this Assembly. But, Sir, waiving the principle altogether, the grant itself is such as the noble Lord at the head of the Government cannot, candidly speaking, defend. Does he vindicate it because it is a grant to those ministers whose congregations are unable, out of their own independent resources, to support them? Well, then, I say that, viewed in that light the grant is most insignificant, and unworthy of this House. It merely gives about 5*l.* a year to some 350 men, and places at the disposal of nine gentlemen about 180*l.* each, to be distributed by them in their uncontrolled discretion to whomsoever they may please, to anybody whom they may think stands in need of this "paltry sum," to make up the deficiency in their incomes. Sir, I do not impugn either the judgment, the impartiality, or the piety of the distributors of this grant. The names which the noble Lord has mentioned as being among the distributors are the names of men worthy of the highest respect; they are men in whom I would place as much confidence as in any men whatever; but, if upon no other ground, I should object to this grant as being a grant of money voted by this House to be distributed secretly. All other recipients of the public or Royal bounty are known. The pauper tradesman must expose himself before poor-law guardians; men who rank highest in the walks of literature, art, and science, reduced in their old age to circumstances of indigence, are not permitted to receive the Queen's bounty without having their names recorded from year to year, and the amount which they receive being placed upon the table of this House. But here we have men secretly receiving money from the public, to whom it would be no reproach to enjoy the Royal bounty if their own religious body could conscientiously sanction the grant. I must say that it is putting a petty patronage into the hands of nine gentlemen, which, I am surprised, they do not throw up at once. But look at this 1,695*l*. If you give this money upon the principle, that where a Dissenting congregation is not able to raise an income adequate to the wants and necessities of the minister, this grant is to be brought in aid of his necessities, then, I say, it is a most partial and niggardly grant. If there are ministers in Wales, for example, who have an income which does not average 50*l*. a year, why should some few of those ministers, who have friends at Court, or who happen to be personally known to some of these distributors, or who is fortunate enough to draw a prize in the lottery, why should they receive this money, and their brethren, not less worthy, and it may be more necessitous, be left without it? If you can justly grant a sum of money for a purpose like this, then let us know who they are that obtain it, in order that we may be satisfied that the state of their circumstances requires such assistance; and let us know the names of all who require such aid. Let us know the congregations which will not or cannot support their ministers. Let these ministers not be afraid — performing, as they do, sacred duties—to have it published to the world, that, notwithstanding all their labours and self-denial, they are still in circumstances of indigence. They will then have a fair claim to the impartial distribution of the Royal bounty which is annually voted in this House; but, as it is, the thing is done secretly; and while I admit that private charity cannot be too unostentatiously dispensed, I, at the same time, contend, that all public charities—all money voted out of the taxes levied from the people—should be given to individuals whose names we know, whose residences we know, whose characters we can scrutinise, and whose necessities we can inquire into. If they are not ashamed to receive this bounty, they ought not to be ashamed to have it known that it is participated in by them. Sir, I do not wonder that the Dissenters of this country should, from year to year, meet for the purpose of entering their protest against this grant. Take these various bodies as they stand, and which of them requires this boon from Government? The Presbyterians do not want it, for they are amongst the wealthiest of the Dissenting bodies of this country. To them the grant is a greater insult, compared with their circumstances, than it is to the other bodies. So independent are they of the grant, that the larger portion of the money which is assigned to the Presbyterian distributors, is given by them to ministers of the other two denominations. The Baptists do not want it, neither do the Independents require it, as my hon. Friend the Member for Stockport has just stated. Sir, I call upon the House to attend to the suggestion of my Friend. Give fairly into the hands of my hon. Friend, or a Committee that shall be appointed for the purpose, the names of the present recipients, and they will institute, in the several counties of England and Wales, a fair and Christian-like inquiry into the wants and necessities of these ministers. These ministers have their appeal, first to the sympathies of their own congregations, and the churches formed in those congregations, next to the sympathy of their own denomination, and they will have, besides, the sympathy of the Christian world at large; and I feel confident a sum will be raised for their necessities larger than that which they secretly receive from this grant. I have been looking into a volume, which will be found in the library—the life of the late Dr. Calamy, by himself. There is in it an account of a wealthy knight, canvassing in Wales for a seat in Parliament, In the course of his canvass, he called upon a distinguished Dissenting minister, Dr. Price, to solicit his vote. He said to him, "If you will favour me with your vote at the approaching contest, I will use my interest to procure for you the disposal of the *Regium Donum* amongst your brethren." The Welsh minister immediately repudiated the offer, and said, that he deplored the day when this *Regium Donum* was first granted; that he would not be amongst those who became the slaves of the Government of the day by the distribution or receipt of any such eleemosynary assistance. Then, what is the effect of this grant upon Dissenters generally? Why, they know not who are the recipients of it, but they are aware that there are some 350 ministers who annually receive donations out of this grant. They cannot account for the silence and apathy of certain ministers upon great and important religious principles. Why, not one of the ministers who receive this money can come forward, in an open and manly manner, to advocate the great and sacred cause of Nonconformity. At all events, if he did, he would be acting inconsistently, and condemning by what he said the system from which he derived advantage. I do trust the House will look on this matter in its proper light, and refuse this grant from this time forth. I do hope that they will pay respect to the representations of the 5,000 ministers who have spoken to-day through my hon. Friend the Member for Westminster, and at once put an end to this compulsory disgrace upon the Dissenting churches, who are ready to give every farthing of this amount, or, if requisite, more, to meet the necessities of these poor ministers. Pay to their liberality, if not to their principles, the compliment of blotting this vote out of these estimates, and I will venture to say, that not only the wants of the present recipients of the *Regium Donum*, but many others, will be well cared for when the Dissenters are thus fairly dealt with. No man who now receives money secretly from this fund, would, by casting himself upon the care of his brethren, find himself destitute of sympathy and assistance if really worthy of them. I must, therefore, protest against this grant: first, on account of its being connected with a system which I hold to be as adverse to true religion, as it is injurious to the legislation of this House, namely, the support of religion by the State; next, because it is not, in my judgment, proper that monies voted out of the public funds should be secretly bestowed by irresponsible parties; next, because, if it be right to relieve from such a source ministers who are in necessitous circumstances, we ought to do far more than it is proposed to do; and, finally, because I believe that, so far from depriving any deserving individual of the assistance he requires, you would, by withdrawing this vote, stimulate the Dissenting bodies to do far more than can be done for them by this small but degrading grant of the public money.

Mr. BRIGHT: Sir, I will trouble the House with one or two remarks with reference to an observation made by the noble Lord, from which it would appear that he is disposed to take the evidence of Dr. Rees as of more value than all the statements made by my hon. Friend the Member for Westminster. Now, there never was an instance in which a Motion was brought forward in this House more entirely in accordance with the feelings of the great body of the Dissenters and Dissenting ministers out of doors. I do not know this Dr. Rees at all, nor do I know to what Dissenting denomination he belongs; but from his evidence I gather, that he is a very illogical person, and one whose opinions cannot be said in any degree to represent the Dissenters. In his evidence before the Select Committee on the Miscellaneous Estimates, he says, that the Dissenting congregations have the means of knowing which of their ministers receive this money; and yet, in another answer, he says, that when a Motion was made for a return of the names of the recipients, he objected to their being given; and the reason he assigned for so doing was, that they would be thereby subjected to the complaints of other parties, who thought they were not acting as consistent Dissenters in receiving these sums from such a source. Well, but if it is known at present—if the congregations are aware of the parties by whom it is received—the evil which he apprehended from the publication of the names was already committed, and the pretext for opposing the publication was destroyed. He states, that these congregations do not object to their ministers receiving the money, although their denominations are strongly opposed to the grant. That is the answer to 7,522. As to Dr. Rees being a Dissenter, I do not know what pretensions he can make to anything of the kind. I will read a portion of his examination, in order that the Committee may see how much his evidence is worth as a Dissenter. He is asked—

> "You do not consider yourself bound in the distribution to attend to something approaching to an equal distribution among the localities of Great Britain?"

His answer is—

> "No; it would hardly be just to do so. Wales is peculiarly a Dissenting country, accidentally from the course taken in the reign of Elizabeth to force a service-book in the English language upon a nation who did not understand a word of it."

Now, mark what he says in the last words of the answer:—

> "Dissent was created to a very large extent before the evil was perceived."

A pretty Dissenter to be talking about the "evil" of Dissent! Whoever thought before of taking the opinion of a man who calls Dissent an "evil," as to what Dissenters should do in a matter of principle like this? [The ATTORNEY GENERAL was understood to express his disapproval of this construction of Dr. Rees's words.] The hon. and learned Gentleman, the Attorney General, is raising a legal distinction in the case; but I say the meaning of what he says is clear from the words of the answer, that "Dissent was created before the evil was discovered;" that is, before the evil of dissent was discovered to be the result of the proceedings to which he refers." My hon. Friend the Member for Stockport has placed this question upon a somewhat new footing in this House. I think I need not inform the House that that hon. Gentleman occupies a high position among the Congregational body in this country. That from his station, character, and pecuniary means—with the power which he possesses to influence those with whom he is associated in religious connexion—I can state that there is nothing which he has engaged to do in the event of this grant being rejected by this House, which he cannot successfully perform. I have not the slightest doubt whatever that he will do everything he has promised. I have so much confidence in him, that if he drew a bill for the amount, I should be exceedingly willing to place my name at the back of it. I am quite certain that all he has promised in this respect he can perform. But the noble Lord has rather let the cat out of the bag. He says, that the Anti-State-Church Association had something to do with this amendment. But this grant was objected to long before the Anti-State Church Association was in existence; and there are some Dissenters now objecting to it who have nothing to do with the Anti-State Church Association; for they think—in my opinion very erroneously—that it is wrong for them, as religious persons, to mix themselves up with political matters. Now, I will tell the noble Lord what the object of maintaining this grant is; it is thought very desirable that the great citadel, the Established Church, should have for its support certain buttresses or outworks. One of these buttresses is the 36,000*l.* a year paid to the Presbyterians in the north of Ireland; another is the 1,700*l.* a year paid to poor Protestant ministers in England; and another proposition has recently been talked of for the formation of another buttress, in the endowment of the Roman Catholic priesthood of Ireland. It is thought very desirable that there should be a good number of these outworks to defend the great citadel when assailed. Now, if an Established Church is a good thing—and it is possible a majority of persons in this country are of opinion that some Established Church should exist—why, then, let it stand upon its own merits. That is a question which must be discussed on its own grounds, and I do not want to discuss it in connexion with this question. But this is clear, that the numerous Dissenting bodies hold a different opinion; the very fact of their being Dissenters is in itself, to a large extent, a proof of it. Five thousand Dissenting ministers most decidedly object to this grant. It is a secret grant. I believe there are a great number of persons who receive this money who do not know that it comes from Parliament at all. If I am to judge from Dr. Rees' testimony, I am inclined to believe that a large number of poor ministers, recipients of this bounty, are actually unconscious of the source from whence it comes. If the practice of printing the names of the poor ministers participating in this grant were at once adopted, before another year was over nearly every one at present receiving it would abandon it. Before I sit down, I will just ask the noble Lord, if he will not allow the vote now to be withdrawn, whether he will consent to a return of all the names of the parties receiving this grant? Because it is not fair that this *Regium Donum* should annually be continued by the Government, in defiance of the opinion of the large body for whose benefit it professes to be dispensed; and that it should be given in a manner which must cause very great harm to the consciences of those persons, and great hurt to an important public principle advocated by them; and that it should be given in such a manner that the influence of public opinion cannot be brought to bear upon the recipients for the purpose of removing what the Dissenting body consider a stain and a blot upon their conduct. I ask the noble Lord whether he will consent to this proposition, because, if so, I personally will not object to the vote on this occasion, and will also ask my hon. Friend the Member for Westminster not to divide the House upon his Amendment. I ask him if he will give an accurate list of all those who have received this money during the last, or who are intended to receive it during the coming year? Because, as I said before, if we had that list printed, before the expiration of another year, we should have repudiations of the grant from almost every party who now receives it.

Lord J. RUSSELL: The hon. Gentleman who spoke last, and the hon. Member who addressed the House before him, object to this vote upon the ground of its being a secret grant; that is to say, that the names of the necessitous and honourable persons who receive this money in sums of about 4*l.* and 5*l.* each, are not published, in order that they may be held up to obloquy.

Mr. BRIGHT: No, no; not if they are deserving objects. We propose to relieve them ourselves.

Lord J. RUSSELL: I beg leave to say that I do not think that a valid objection. It is objected that these alms are given in secret; now I certainly thought that alms given in secret were far better than if given openly. I should have no objection to the proposition made by the hon. Member for Stockport, if assured that the various bodies themselves would guarantee the amount now given in this manner. If I saw that it was secure as a charity, I should have no objection to withdraw this grant; but if I have reason to believe that the publication of their names is only intended for the purpose of holding them up to ridicule—if their names are to be given up here in order that they may be held up to derision by other parties elsewhere—I certainly cannot consent to any such publicity being given to the names of the persons receiving this money.

Mr. LUSHINGTON: I beg leave to make one remark with reference to an observation which the noble Lord has addressed to the House, and that is, that the Anti-State Church Association was instituted in the year 1844, while the first objection to the grant, which I quoted in the paper I have referred to, is dated 1834; therefore those objections could not have emanated from that Association. I must say, that his Lordship has rather shaken my resolution to press this Amendment to a division. If he would engage on the part of the Government not to propose this *Regium Donum* in future years, on condition of his being furnished with a proper and satisfactory engagement on the part of the Dissenting bodies that they would subscribe a sum sufficient for the necessities of these deserving ministers, then I think that that would content the Dissenting bodies, and put an end to all the feuds and exceedingly disagreeable discussions upon this subject.

Mr. HUME: I beg to state that the facts of the matter concerning the publication of these names are these: I moved for a list of these persons, which was objected to; their return was ordered by this House, but I was applied to not to publish their names, in consequence of the exposure which would ensue. I think it was in 1834 that I brought this matter on. I said "the Dissenters ought to be fairly dealt with in this case." They had not till 1832 been brought before the House; we objected to allow anything that was not sanctioned by the House. These matters were then put on the estimates here, in order that they might be fairly dealt with by the House. As soon as it was known that this money was paid by Dr. Rees, a meeting of Dissenters was called upon the subject, and Mr. Weymouth, whom the noble Lord no doubt well recollects, wrote to me requesting me to vote against the grant, and stating that a resolution had been come to by the Dissenters to oppose it. That was in 1833; in 1834 I brought the matter specially before the House; upon which occasion I read the resolution I had previously received. Therefore, the opposition which is made to this grant has nothing to do in its origin with the Anti-State Church Association, but is a matter which was agitated before that body was established. As I believe that the noble Lord wishes to have no persons upon the list but such as are deserving, let me suggest to him to submit it to competent persons for examination, by doing which he will not be removing the grant from any single deserving person.

Mr. MUNTZ: The noble Lord has stated that there is greater merit in giving charity in secret than openly. I am quite ready to admit the truth of his proposition as applied to individual charity; but when the charity comes from the nation, if it is money voted by the House of Commons, the circumstances are greatly altered. The nation has a right to know to whom its charity is given, and whether it is properly bestowed. As to the plea of its being a grant which has been long established, that certainly is no reasonable ground whatever upon which it can be maintained. We have had too many grants of that sort —too many irregular practices; and whether they have existed for a day, or a month, or a year, is perfectly immaterial; the lapse of time cannot in any way sanction that which is wrong. If it has been a charity which ought not to have been given, the sooner it is stopped the better; the greater the saving of the nation's money, which is not even thankfully received by the body to whom it is pretended to be given, but is repudiated by them. I hope that the House will be decided against this and all religious grants for any particular sects. This has nothing to do with the question of tithe; the question of tithe is a question of rent. I know that it is so from my own experience. I know that where there is no tithe to pay, there is more rent laid on the land. But when you are granting men public money, the public ought to know all the parties, and be satisfied that their circumstances require the grant. Look at the condition in which we as a nation are now placed! I say that the public and the country ought to know who the parties are who are receiving this money.

Mr. WYLD: Sir, I am quite sure that the expression which has just fallen from the noble Lord, that the Dissenting ministers who partake of this grant are in the receipt of "alms," will in future make them desirous to disconnect themselves from it. The Dissenters of England of the present day still uphold those great principles for which their fathers were expatriated, and for which they suffered the loss of the whole of their property. Of this I am sure, that nearly every Dissenter throughout the empire will repudiate the grant. It is very unfair towards the large body of Dissenters in this country, that it should be stated in these estimates that this *Regium Donum* is for the benefit of the Dissenters of England. Why, Sir, that large body of Dissenters, the Wesleyans, are not in any way recipients of this bounty. I might say that they are the largest body of Dissenters in the British empire; yet they do not come down to these distributors and receive this bounty. Therefore, as the Wesleyans do not receive it, there is no reason why any ministers of the Independent and Baptist congregations should be allowed it. It has been stated, in the course of this debate, that this grant arose out of some transaction connected with the celebrated Minister, Walpole; but the fact of the matter is this—this grant was given by George I. to the Dissenters, in consequence of their adherence to the House of Hanover. At that time it might have been of some use to the Dissenting bodies, because they were small in number in proportion to what they are now; but since that time they have increased both in numbers and wealth, and any one who knows the Dissenting bodies at this moment knows very well that they have now no occasion for this grant. The small amount they receive, so far from doing any service to the Dissenting ministers who are supposed to receive it, renders them objects of suspicion and distrust with their congregations and denominations. I assure the noble Lord, that so far from being a benefit to the body of Dissenting ministers generally, it is a great disadvantage, because many of them are suspected of taking this money who are not actually in the receipt of it at all. The Dissenters generally object most strongly to the secret manner in which this grant is received. Dr. Pye Smith, one of the distributors, has acknowledged that there has been one gross case of malversation in its bestowal; and where one has been proved, there is reason to suspect the existence of more. The men who receive this grant cannot be considered free agents. We have seen what the effect of these State grants has been in Ireland. There the Crown will not permit any portion of the grant to be given unless the congregation give no greater stipend than 35*l.*; the consequence of which regulation is, that a large portion of the incomes of Presbyterian ministers in Ireland are reduced to that sum in order to bring them within the required conditions of Government. The effect of this grant is most injurious and distasteful to the entire body of Dissenting ministers on whose behalf you profess to make it. What has been the case upon the present occasion? There are 300 or 400 Dissenting ministers receiving this money, not one of whom has come forward and acknowledged himself publicly in favour of the money he annually receives from the Government. Why do they not openly come forward and ask for a continuance of the grant, when they perceive efforts made both within and without Parliament for its abolition? They are afraid of doing so, because they well know that by so doing they would lose the confidence of their congregations, of the denominations to which they belong, and of the entire body of Dissenters. I trust the House will refuse no longer to sanction the continuance of this grant.

Mr. BRIGHT: I ask the noble Lord whether he will consent, so long as this grant was continued, to permit the publication of the names of those who receive it? I ask for nothing more than that; if the noble Lord feels that he cannot grant that request, then we must divide upon the Amendment of my hon. Friend the Member for Westminster. With regard to the plea that this grant is in the nature of alms, and must therefore be given in secret, I know well that a very high authority has said that when we give our alms we must give them in secret; but that precept applies only to cases in which we are giving our own money; but this grant being from a public fund, contributed from the taxes of the country, I think it would be much more desirable that it should be given openly, and in such a manner as that the public should have the means of satisfying themselves that the bounty is worthily bestowed.

Lord J. RUSSELL: I have already said that I am afraid the object of obtaining these names is, that the poor recipients of the grant might be held up to obloquy. That being the case, I most decidedly object to the proposition of the hon. Member.

The Committee divided on the question, that the sum be 4,974*l.*:—Ayes 28; Noes 60: Majority 32.

List of the Ayes.

Anderson, A.
Berkeley, hon. C. F.
Bright, J.
Brotherton, J.
Clay, J.
Cobden, R.
Crawford, W. S.
Drummond, H.
Duncan, G.
Evans, J.
Fagan, J.
Fox, W. J.
Greene, J.
Grosvenor, Lord R.
Hume, J.
Keogh, W.
M'Gregor, J.
Muntz, G. F.
Osborne, R.
Reynolds, J.
Salwey, Col.
Tenison, E. K.
Thompson, Col.
Thompson, G.
Thornely, T.
Wawn, J. T.
Williams, J.
Wyld, J.

TELLERS.

Lushington, C.
Kershaw, J.

List of the Noes.

Abdy, T. N.
Bellew, R. M.
Berkeley, hon. Capt.
Blackstone, W. S.
Boyle, hon. Col.
Buller, C.
Burrell, Sir C. M.
Campbell, hon. W. F.
Clements, hon. C. S.
Cowper, hon. W. F.
Craig, W. G.
Dodd, G.
Dundas, Adm.
Ebrington, Visct.
Elliot, hon. J. E.
Ferguson, Sir R. A.
Forbes, W.
Forester, hon. G. C. W.
Forster, M.
Fortescue, hon. J. W.
Freestun, Col.
Grey, rt. hon. Sir G.
Grosvenor, Earl
Hamilton, G. A.
Hawes, B.
Hay, Lord J.
Hayter, W. G.
Henley, J. W.
Herbert, H. A.
Hobhouse, T. B.
Hood, Sir A.
Howard, P. H.
Inglis, Sir R. H.
Jervis, Sir J.
Jones, Capt.
Labouchere, rt. hon. H.
Lewis, G. C.
Mackinnon, W. A.
Morpeth, Visct.
O'Connell, M. J.
Owen, Sir J.
Paget, Lord A.
Parker, J.
Pinney, W.
Rich, H.
Romilly, Sir J.
Russell, Lord J.
Sheil, rt. hon. R. L.
Somerville, rt. hon. Sir W.
Talfourd, Serj.
Vane, Lord H.
Verney, Sir H.
Vyse, R. H. R. H.
Ward, H. G.
Watkins, Col.
Wellesley, Lord C.
Wilson, J.
Wilson, M.
Wodehouse, E.
Wood, rt. hon. Sir C.

TELLERS.

Tufnell, H.
Hill, Lord M.

On the question that a sum of 27,837*l.* be granted to complete the sum required for Nonconforming, Seceding, and Protestant Dissenting Ministers in Ireland,

Mr. S. CRAWFORD, as a friend to religious liberty, did not think he was justified in assenting to any grant of this nature. There was, however, an item of 366*l.* for the widows and orphans of ministers of the Synod of Ulster, to which he did not object; and he should therefore move to reduce the vote by the sum of 27,471*l.*

The Committee divided on the question, that the sum be 366*l.*:—Ayes 13; Noes 45: Majority 32.

List of the Ayes.

Anderson, A.
Bowring, Dr.
Bright, J.
Brotherton, J.
Cobden, R.
Drummond, H.
Fox, W. J.
Greene, J.
Muntz, G. F.
Thompson, Col.
Thornely, T.
Williams, J.
Wyld, J.

TELLERS.

Crawford, W. S.
Kershaw, J.

List of the Noes.

Bellew, R. M.
Blackstone, W. S.
Boyle, hon. Col.
Brown, W.

Campbell, hon. W. F.
Clements, hon. C. S.
Craig, W. G.
Dunne, F. P.
Ebrington, Visct.
Ferguson, Sir R. A.
Forster, M.
Freestun, Col.
Grey, rt. hon. Sir G.
Hamilton, G. A.
Hawes, B.
Hayter, W. G.
Herbert, H. A.
Hobhouse, T. B.
Hood, Sir A.
Howard, P. H.
Inglis, Sir R. H.
Jervis, Sir J.
Jones, Capt.
Keogh, W.
Labouchere, rt. hon. H.
Lewis, G. C.
Monsell, W.
Moore, G. H.
Morpeth, Visct.
Palmerston, Visct.
Parker, J.
Plowden, W. H. C.
Rich, H.
Robinson, G. R.
Russell, Lord J.
Sheil, rt. hon. R. L.
Sibthorp, Col.
Smith, J. A.
Somerville, rt. hon. Sir W.
Talfourd, Serj.
Tancred, H. W.
Turner, E.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.

TELLERS.
Tufnell, H.
Hill, Lord M.

Vote agreed to.

SUPPLY—GRATUITIES.

On the question that a sum of 20,000*l.* be granted towards completing the sum necessary for Civil Contingencies,

Mr. OSBORNE objected to the item which was included in this vote of 4,045*l.* for gratuities for extra services in the Treasury and Commissariat Departments: 2,500*l.* of that sum had been given to Sir C. Trevelyan. Now, this was a very gross case. Sir C. Trevelyan might have laboured hard in the discharge of his duties; but so had the coast-guard of Ireland, whose services could not possibly have been dispensed with, and many of whom had contracted a violent fever in consequence of their labours, and yet no gratuity had been given to them. He would move to reduce the sum of 4,045*l.*, and would divide the Committee upon this vote.

The CHANCELLOR of the EXCHEQUER would simply say, that so far from this being an unprecedented matter, the Government had only followed the usual mode of remunerating persons who had performed extraordinary services.

Mr. J. A. SMITH thought it only a fair act of justice to Sir C. Trevelyan to say, that though he had not the honour of his personal intimacy, he had had an opportunity of seeing the extraordinary devotion which he had shown in the discharge of his arduous and responsible duties in superintending the application of the money for the relief of the Irish. He was not saying more than the truth, when he said that thousands and thousands of the people in Ireland owed their preservation to the industry, intelligence and zeal, Sir C. Trevelyan had displayed. It would be a great misfortune to the country, if such services as those which had been rendered by Sir C. Trevelyan should appear to be underrated by that House.

Lord G. BENTINCK hoped his hon. and gallant Friend would divide upon the question. The Committee had been informed that Sir C. Trevelyan had none of the responsibility of this particular office, and, therefore, bore none of its demerit. If so, then he presumed that that gentleman was not in a position to claim any merit that might attach to the office. If it really had been a question of merit, he should have been prepared to challenge Sir C. Trevelyan's claim, for he (Lord G. Bentinck) had read all the evidence, and he was not inclined to think that there had been such a display of ability in the discharge of his duties as some hon. Members seemed disposed to attribute to him. He would refer to one instance only as an illustration of the system which was sanctioned by that gentleman—when oatmeal was being bought for 14*l.* a ton at Cork, Sir C. Trevelyan was having it sent out to Ireland from Deptford, where it was purchased at eighteen guineas a ton.

The Committee divided on the question, that the sum be 15,950*l.*:—Ayes 14; Noes 73: Majority 59.

List of the Ayes.

Bentinck, Lord G.
Christy, S.
Dick, Q.
Goulburn, rt. hon. H.
Greene, J.
Henley, J. W.
Keogh, W.
Kershaw, J.
Locke, J.
Moore, G. H.
Muntz, G. F.
Tyrell, Sir J. T.
Urquhart, D.
Williams, J.

TELLERS.
Osborne, R. B.
Dunne, Col.

List of the Noes.

Abdy, T. N.
Adair, R. A. S.
Anderson, A.
Armstrong, Sir A.
Arundel and Surrey, Earl of
Bellew, R. M.
Berkeley, hon. H. F.
Bowring, Dr.
Boyle, hon. Col.
Broadley, H.
Brotherton, J.
Bunbury, E. H.
Campbell, hon. W. F.
Clements, hon. C. S.
Cowper, hon. W. F.
Craig, W. G.
Cubitt, W.
Drummond, H.
Ferguson, Sir R. A.
Fox, W. J.
Freestun, Col.
Frewen, C. H.
Grey, rt. hon. Sir G.
Grey, R. W.
Hawes, B.
Hayter, W. G.
Hobhouse, rt. hon. Sir J.
Hobhouse, T. B.
Hood, Sir A.
Howard, P. H.
Humphery, Ald.
Inglis, Sir R. H.
Jervis, Sir J.
Jones, Capt.
Labouchere, rt. hon. H.
Lewis, G. C.
Matheson, A.
Matheson, Col.
Monsell, W.
Morpeth, Visct.
Morris, D.

O'Brien, Sir L.
Ogle, S. C. H.
Owen, Sir J.
Paget, Lord A.
Paget, Lord C.
Palmerston, Visct.
Parker, J.
Plowden, W. H. C.
Reynolds, J.
Rich, H.
Romilly, Sir J.
Russell, Lord J.
Scrope, G. P.
Sheil, rt. hon. R. L.
Sheridan, R. B.
Smith, J. A.
Somervilie, rt. hon. Sir W.
Talfourd, Serj.
Tancred, H. W.
Tenison, E. K.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Turner, E.
Ward, H. G.
Watkins, Col.
Wellesley, Lord C.
Willcox, B. M.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.

TELLERS.
Tufnell, H.
Hill, Lord M.

Vote agreed to.

SUPPLY—DISTRESS (IRELAND).

The CHANCELLOR OF THE EXCHEQUER said, he had now to move two very heavy votes by way of supplementary estimates, which were necessary to wind up the relief of the distress in Ireland up to the present half year. The first item of the vote was for 132,000*l.* To show that the poor-rate had been levied to a considerable amount for the same purpose, he might observe that the whole sum collected in Ireland in January, 1846, was 36,000*l.*; in January, 1847, 52,000*l.*; while in January, 1848, it reached 194,000*l.* The entire sum levied in the first six months of 1846 was 217,000*l.*; in the first six months of 1847, 339,000*l.*; and in the corresponding period of 1848, 867,000*l.* There were, however, many parts of Ireland in which the poor-rate, however well collected, had been found quite inadequate to relieve the prevailing distress. Twenty-two unions were in that position. The object of the Government was, that relief should only be given in districts respecting which it had been shown that no possible exertion in collecting the poor-rate would make it adequate for the object. Relief had been given of late almost entirely in food. As regarded the British Association, he would state, that the whole amount expended by it was 236,000*l.*, of which sum 143,000*l.* went for rations for grown-up persons, 80,000*l*, in the same way for children, and about 120,000*l.* for clothes. The vote which he proposed was for relief given in continuation of the proceedings of the British Association in the three months immediately preceding the harvest, when the distress was the greatest. There were many unions in Ireland in which it was impossible they could defray the cost of their poor. The union in Ireland in which the greatest distress prevailed was that of Clifden, in which the rate was 19*s.* 2*d.* in the pound. The valuation of the union was 22,400*l.* The expense of maintaining the poor in that district, from September, 1847, to September, 1848, was 18,310*l.* They had a small debt of 900*l.* The advances made by the British Association were 9,000*l.* for general relief, 3,000*l.* for the relief of destitute children, and the whole amount due from the union would be upon a rated value of 22,400*l.*, amounting to a rating in the pound of 19*s.* 9½*d.* In another union in the county of Clare, the amount of rating was 16*s.* 10*d.* in the pound; in another, 15*s.* 11*d.*; in another, 14*s.* 9*d.*; in Ballyra, 12*s.* 4½*d.*; in Castlebar, 11*s.* 9*d.* The rate in Ireland would be 2*s.* 9¾*d.* In Down it was lighter than in most counties in England; it would there amount to 1*s.* 2*d.* Taking the electoral divisions in Donegal, there were electoral divisions in which the charge for the maintenance of the poor this year would be 44*s.* 2*d.* in the pound. In Castlebar there was an electoral division in which the charge was 29*s.* in the pound. In Galway it would amount to 23*s.* 8*d.* This was the charge in the pound upon the valuation; but as it was notorious that in many of the most distressed districts, a large proportion of the ratepayers could pay nothing at all, it was hopeless to expect that any amount of rate could defray the sum which was advanced. This statement applied to the western coast; on the eastern and north-eastern part the burden was lighter, which showed that the distress was local. It was, therefore, to sanction the expenditure of 132,000*l.*, which was required from July to the end of the harvest, to continue the relief which, up to that time, had been afforded in voluntary contributions, through the means of the British Association, that he asked the House to agree to the vote. There could not be any necessity for further assistance in the way of depôts. He believed that the events of the last two years had introduced into Ireland dealers in meal and corn, so that the guardians would be able to procure an adequate supply of food. These were the circumstances which induced the Government to take on themselves the responsibility of demanding this sum of money. Without the assistance thus rendered, it would have been utterly impossible for the people to have been preserved from utter starvation, except by the means which had been so beneficially applied by the British Association. He trusted that the House would ratify the responsibility which Government had taken upon themselves. Question put—

"That 262,545*l.* be granted to make good the advances of the sum provided for the Relief of Distress in Ireland and Scotland, through the Commissariat Department."

MR. P. SCROPE said, that he had given notice of resolutions on this vote; but as he could not move those resolutions, he wished to state the absolute necessity of refusing to make grants of public money, in addition to the poor-rates, and should take the opinion of the Committee in opposition to this grant of 132,000*l.* The Chancellor of the Exchequer had appealed to the generosity of the House, by stating the extraordinary distress of some of the Irish unions. His opinion was, that Ireland was perfectly capable of maintaining her poor, as well as the whole of her population. But he had another and a stronger objection to this vote—that it was given for the relief of such landlords as had not paid their rates. All the landlords had to do was to make out a case of inability to support the poor, and they would then receive assistance. He moved that the vote be disallowed.

SIR J. TYRELL considered that strong measures with regard to Ireland should now be adopted by Government. He did not mean to be offensive to any Gentleman differing from his opinion or persuasion, but it was quite clear to him that there was a great distinction between Roman Catholics and Protestants. In the Protestant districts of Ireland the poor-rate only averaged 1*s.* in the pound; while in the Roman Catholic districts it varied from 19*s.* to 11*s.* in the pound. He solemnly believed that the Roman Catholic religion, carried out in all its parts, was incompatible with the true cultivation of the soil. In Switzerland, the common remark of every traveller was the great difference between the agricultural prospects of the Roman Catholic cantons and those of the Protestants. The latter were far superior to the former. He believed unless the Government took some strong measures in reference to Ireland, in which they would be followed by the universal feeling of the country, there would be repeated calls upon the coffers of this country to subscribe to Ireland.

LORD JOHN RUSSELL observed, that the hon. Member for Stroud, in objecting to the vote, did not seem to consider that an immense change was going on in Ireland, nor to make due allowance for the necessity under which both landlord and tenant were compelled to act. The burden upon landed property in Ireland had been changed from 400,000*l.* to 1,800,000*l.*, in itself a great and important change. Another change which had taken place in Ireland was this—that whereas, in 1836, there were no corn or provision dealers in Ireland, there were now dealers in those articles in every part of that country. Seeing the change which had taken place of late years in Ireland, and the burdens imposed, which, in particular districts pressed so heavily, he thought it was their duty to aid in the transition, and that it could not be said they in any way wasted the money of the country by assisting certain unions to bear the very great burdens which had been placed upon them, borne as these had been on the whole with a degree of readiness which was highly creditable. With respect to the future, that, no doubt, would be the subject of discussion, and he did not wish to enter upon it at that late hour. All he had to say was, that in our present circumstances he did not think it would be wise to lay down a system, or propose a plan. We did not know what was the extent of the present failure of the potato cultivation—what was the exact amount of the very great increase of potato cultivation which took place in the present year, as compared with the amount of last year; we did not know what amount would be saved, or to what period the stock would last; and under these circumstances he thought it would be very imprudent to lay down a plan. Government must, to a certain degree, rely upon the confidence of the Parliament; they would not ask it unnecessarily, or without a due regard to economy. If they saw cause to call for extraordinary measures, they would then assemble Parliament immediately, and propose to it such measures as they thought fit. In the present state of affairs, seeing the number of Members who were absent, they did not propose, at the end of the Session, to lay down any general system or plan by which they should invariably abide.

Vote agreed to.

The House resumed. Report to be received.

The House adjourned at half-past Two.

HOUSE OF LORDS,

Thursday, August 24, 1848.

MINUTES.] PUBLIC BILLS.—1^a City of London Sewers; Sheep and Cattle Contagious Disorders Prevention; Millbank Prison; Commons Inclosure Act Amendment.

· 2ª Metropolitan Commissioners of Sewers; Wolverhampton Curacy (No. 2); Petty Bag, &c. Office (Court of Chancery); Corrupt Practices at Elections.

Reported.—Commons Inclosure (No. 2); London (City) Small Debts; Fisheries (Ireland); Parochial Debt and Audit.

3ª and passed:—Stock in Trade Exemption; Boroughs' Incorporation; Out Pensioners.

Petitions Presented. From the Trustees of the Irish Reproductive Loan Fund, in the County of Galway, against the Reproductive Loan Fund Institution (Ireland) Bill.—From Agriculturists, Merchants, and Others, complaining of the Depressed State of Agriculture and Commerce in the Island of Jamaica.—From the Town of Liverpool, against the present Ecclesiastical Law.—From the Willeton Board of Guardians, against so much of the Parochial Debt and Audit Bill as deprives them of Administering Relief.—From Merchants, and Others, in the Province of New Brunswick, against any Alteration of the Navigation Laws.—From the Guardians of the Poor of the Lancaster Union, against the Poor Law Union Charges (No. 2) Bill.

VANCOUVER'S ISLAND.

Lord MONTEAGLE, pursuant to notice, rose to move for certain papers respecting the grant of Vancouver's Island to the Hudson's Bay Company. The question was one which involved important public interests, both present and reversionary. Those of their Lordships who had taken an interest in the negotiations carried on between this country and the United States of America previous to the completion of what was called the Oregon Treaty, must be familiar with the political and commercial importance attached to the possession of Vancouver's Island, situated as it was between the territories of Russia on the north, and those of the United States on the south. This portion of Her Majesty's dominions was at the present moment a possession of great value, and it might become of almost incalculable importance hereafter. The climate of the island was fine, the soil fertile, its harbours were excellent, and the place was in all respects most favourable for settlement and colonisation; it contained, moreover, extensive mines of coal, invaluable in its future applicability to the steam navigation of the Pacific. He was not aware that from the possessions of Russia to the Isthmus of Panama, there existed any other place near the coast capable of furnishing this important article. Whenever a communication should be made, either by railroad or by a canal, across the Isthmus—and that time could not be very distant—the Pacific must become the highway of maritime nations to China and other parts of the Eastern world; and in that event Vancouver's Island would become a position essential to our commercial superiority. The opinions of politicians on subjects of this kind were often exaggerated; they were liable to be warped by transitory and personal interests—an object which was in contest, whether in war or negotiation, was likewise too often over-appreciated by contending Powers. Scientific authorities on this account were more to be relied on; and he therefore appealed with confidence to the testimony of the eminent geographer, Malte Brun, who seemed to have discovered, almost by intuition, the future destinies of Vancouver's Island. His observations on the subject were as follows:—

> "The vegetable earth in some places forms a bed of ten feet in thickness. A traveller is agreeably surprised to find a milder climate here than on the eastern coast of America in the same latitude. In the month of April, Fahrenheit's thermometer was never below 40° during the night, and in the day it rose to 60°. The grass was already a foot in height. The climate is as favourable to the growth of trees as that of the Continent. What negligence on the part of the Spaniards not to have taken possession of this agreeable and fertile country!—a country which being situated in the rear of their country might, in the hands of intelligent masters, become a military and commercial post of the highest importance."

Mr. Pitt and his Government, in 1790, acted on the admission of the same fact. The port of Nootka Sound, situated on the western coast of Vancouver's Island, was considered at that time to be so important as to be worth the risk of a European war. In the debate on the 6th of May, 1790, Mr. Pitt observed—

> "If the claims of Spain were given way to, it must deprive the country of the means of extending its navigation and fishery in the southern ocean: it would go far towards excluding His Majesty's subjects from an infant trade, the future extension of which could not but be essentially beneficial to the commercial interests of Great Britain."

Yet the importance of Nootka Sound was nothing as compared with the possession of the entire island, more especially in reference to its coal field. In the Oregon negotiations, the possession of Vancouver's Island was regarded, both by England and by the United States, as a primary object. The Columbia was a barred river, and the passage to Puget's Sound, surrendered to the United States, was held almost at the sufferance of the Power to whom the possession of Vancouver's Island was secured. The most unquestionable evidence that he could refer to in proof of the resources of this possession, was to be found in the correspondence of the Hudson's Bay Company itself:—

> "In the neighbourhood of Port Vancouver," writes Captain Pelly, "the Company have large pasture and grain-farms affording most abun-

dantly every species of agricultural produce, and maintaining large herds of stock; and it is the intention of the Company, not only to increase them, but to encourage the settlement of their retired servants, and other emigrants under their protection. The soil, climate, and circumstances of the country are as much, if not more, adapted to agricultural pursuits than any other spot in America; and with care and protection the British dominion may not only be preserved in this country, which it has been so much the wish of Russia and America to occupy to the exclusion of British subjects, but British influence may be maintained as paramount in this interesting part of the coast of the Pacific."

The Peers who had listened to the noble Earl (Earl Grey's) argument on colonisation a few nights back, could not but remember the point on which the noble Earl (Earl Grey) had mainly relied, as characteristic of a sound policy in colonisation —namely, the abolition of land grants, and the substitution of a system of sale. After this declaration, it would hardly be believed that the noble Earl had been himself the party to propose, by a charter to the Hudson's Bay Company, not a lease of Vancouver's Island, but a grant, the most lavish, the most inconsiderate, and, he must add, the most reprehensible ever before made by any Colonial Minister. The much-condemned grants of Prince Edward's Island were infinitely less liable to censure. The noble Earl seemed originally to have proposed making this grant without condition, safeguard, or reserve; he proposed to make it gratuitously to the Hudson's Bay Company. The noble Lord would say, that the grant was "made to the intent that the Company should establish upon the island a settlement or settlements of emigrants from Great Britain;" and that the express meaning of the condition was, that if the Company should not, within five years, have established "a settlement," the grant might be revoked. This condition was, however, without value from its indistinctness. Who was to define "a settlement?" It was not said, of how many families the settlement should consist; any "settlement" would satisfy the provisions of the charter, however insignificant the settlement might be. Then, in regard to the reserved power of resumption by purchase, it was not a power of purchase at the improved value of the property; but on repaying the amount expended by the Company. What court of equity was to determine this amount? In fact, the proposed charter might be held to transfer the island without rent or other consideration to a trading company for ever. And this grant was made of an island, the very key of our position in North Western America, the very island for which we had run the risk of two wars. But he had a further complaint to make. He asked the noble Lord how it could enter his mind to grant this charter, and to part with this territory, without providing in the very charter itself some stipulation for the future government of the island? After the charter had been approved of, indeed, there was a letter from the Under Secretary of State, containing some vague propositions for the government of the island. This was evidently an afterthought. The question of the future government of the island had been till then altogether overlooked. This reminded him of the blunder of a countryman of his own, who, after completing the building of his house, discovered, when about to enter into possession, that he had forgotten the staircase. A right thing was sometimes marred by being done in a wrong manner; but in the case of the grant of Vancouver's Island the engagement entered into was most unwise, and the mode of executing it had rendered it still worse. If such a grant were expedient, he contended that at a time when Parliament was sitting it should not have been made by the mere prerogative of the Crown, and without a previous legislative sanction. He (Lord Monteagle) had acted on this principle; and in 1834, before founding the now flourishing colony of South Australia, he had introduced a Bill which led to discussion and examination, particularly on the part of his late noble Friend Lord Ashburton. It was still more necessary to have applied the same principle in the present instance. This island, so valuable both on commercial and political grounds, ought never to have been parted with, and never parted with by the mere fiat of a Secretary of State, without any communication to Parliament. But there were other causes of complaint, when the grant was viewed in relation to the character of the grantee. He maintained, that no trading company was a fitting depository for the functions of emigration or colonisation: he knew of no example to the contrary. Even the East India Company, the greatest corporation of the kind in the world, had not exhibited any great aptitude for colonisation. But the East India Company was not a company of hunters. If any trading company were to be entrusted with uncontrolled dominion, and were selected as the guides and governors of future bands of emigrants—a body like the Hudson's Bay Company, founded, not for the purpose of occupying land for agriculture or settlement, but for the sake of procuring the fur of wild animals, was the least likely, of all others, to exercise such functions properly. Another matter was deserving of special note. He alluded to the free gift of the coal mines without any reserve, either of rent or royalty, or any stipulated obligation assumed by the Hudson's Bay Company even to work the mines. This was the more surprising from reference to the official correspondence. It would appear that the Colonial Office had at first neglected the subject altogether, or perhaps were not aware of the existence of this valuable property. It was only on the 25th of February, 1848, the negotiations having been in progress from 7th September, 1846, that Mr. Hawes refers for the first time to the "value of the coal" as "necessarily forming a material consideration," and transmits a copy of the agreement made with Mr. Wyse at Labuan as "a guide for any proposal the Company may make for working the coal at Vancouver's Island." But no sooner was this hint given, than on the 4th of March, Captain Pelly, in the frankest and most explicit manner, states, "that if the grant is to be clogged with any payment to the mother country, the Company will be under the necessity of declining it." In this declaration the Colonial Office seems to have very graciously acquiesced, although at the time the proposed establishment of American steamers in the Pacific gave to the coal a peculiar value. If the question of the constitution of the island had been forgotten from September 1846 to July 1848, and if the question of the coal was noticed only to be abandoned, the principle under which the Company should be required to alienate their lands to colonists and emigrants, seems to have been neglected to the present hour. It should have been known to the Secretary of State, that if the same slavish conditions were to be attached to the future land contracts in Vancouver's Island which were enforced on the main land, it would be impossible that any independent settlement could ever take place. A monopoly of trade, an exclusive command of freight at their own prices capriciously, or perhaps partially, granted or conceded, would wholly defeat the ostensible object sought for by his noble Friend. The whole history of the Company, and its conduct from its origin, 180 years back, was condemnatory of the grant. The original charter of 1670 partook of the lofty claims of prerogative of the Stuarts. It gave exclusive rights of trading to Prince Rupert and the newly-constituted corporation in all the lands in North America, which could be approached by land or by water from Hudson's Bay, and which lands were not in the possession of any other Christian Power. This grant extended over more than 2,500 square miles. It was not wonderful that the validity of this charter should have been doubted. Accordingly, in 1690, a Bill was introduced into Parliament confirming the charter. The history of these proceedings was curious. The Act as originally applied for was perpetual; but on the third reading, a clause was introduced limiting its duration to ten years. The House of Commons, which evidently appears to have felt itself aggrieved, passed a Standing Order contemporaneously, prohibiting, in future, the reception of any Bill confirming a charter, unless the charter itself were specifically recited in the Bill. But the House of Lords was even more scrupulous than the Commons. The duration of the Bill was still farther limited; it was reduced from ten years to seven, and in that form was passed. A subsequent application was made to Parliament for a renewal of this Act, but without success, and the Act had never since been renewed. Was it not evident from these facts that the Company themselves acknowledged the invalidity of their charter without the confirmatory Act, and that after the expiry of that Act the charter must be considered invalid? Subsequently in the year 1749, the complaints addressed to Parliament against the Company were almost universal. Petitions were presented from Chester, Newcastle, Hull, Leeds, Manchester, Liverpool, Lancaster, Kendal, Whitehaven, Bristol, Carlisle, Wakefield, and other commercial towns. They prayed for freedom of trade within the jurisdiction of the Company. They impugned the charter. They complained that—

> "An important trade was locked up in the hands of a few to the detriment of the many; that the Company only employed a few ships, to the detriment of the nation; and that the Company had made but few settlements, and those mainly of their own hired servants, every public benefit being neglected."

A Select Committee was appointed, and

reported facts fully confirming these complaints, which were all couched in language applicable to the present state of things. But the matter was dropped. Financial embarrassments were not peculiar to the present times. It was felt that a supercession of the charter would have cast on the public the duty and the expense of governing the country. England was not rich enough to do what was right and just, and the matter was allowed to drop. He must also remind the House of the violence, lawlessness, and bloodshed which were proved before Parliament in 1819 to have taken place in the case of the Red River settlement. These facts were proved in official documents laid before Parliament, on which occasion Mr. Edward Ellice, though stating himself to be a large shareholder in the Company, gave evidence to their unfitness to undertake colonisation. His words were remarkable, and were applicable and conclusive at the present time:—

> "Though Lord Selkirk's primary and principal object was colonisation, yet he must be pardoned for saying that it had afterwards become connected with purposes of trade. The noble Lord was a considerable proprietor in the Hudson's Bay Company; and he could not help thinking that if his Lordship's only object was colonisation, he should not have embarked in trade. He (Mr. Ellice) was a considerable proprietor in the Hudson's Bay Company; and when the plan of colonisation was first proposed, he, at a meeting of the shareholders, entered his protest against it. The opinion of the late Attorney General, now Chief Baron of Scotland, was, that the Crown had no right to grant the land to the Hudson's Bay Company."

At that time an opinion was given by lawyers of the very highest eminence, who agreed in questioning the validity of the charter. That opinion was signed by Sir Arthur Pigot, Mr. Brougham, and Mr. Spankie, and it contains the following passage:—

> "By the temporary Act of 2nd William and Mary, for confirming to the Governor and Company their privilege and trade, the duration of that confirmation is expressly limited to seven years, and to the end of the next Session of Parliament, and no longer. Part of the preamble to the Act is, in fact, a legislative declaration of the insufficiency of the charter for the purposes professed in it, without the authority of the Legislature, and which authority ceased entirely soon after the expiration of the seven years after that passed.
>
> "* * There are various clauses in the charter—particularly those empowering the Company to impose fines and penalties, to seize and confiscate goods and ships, and seize by arrest the persons of interlopers, and compel them to give security in 1,000*l.*—which are altogether illegal, and were always so admitted."

On these grounds he contended that the Company was altogether unfit to be trusted with the duties of government, and contended that the Parliamentary inquiries of 1749 and 1819 had proved that, whatever might be the professions of this Company, they had exhibited a total forgetfulness of those moral obligations which were connected with the functions of a Government. Nor did he believe them to have advanced the progress of religion or civilisation within their territories; what had been done was, he believed, mainly attributable to the religious societies of this country; and the conduct of the Company towards the Indians was alleged to have been oppressive. Memorials setting forth these facts were now lying in the Colonial Office. Such were the circumstances which had induced him to bring the matter under the consideration of the House. The noble Lord concluded by moving—

> "For Copies of the Correspondence between the Government and the Hudson's Bay Company, and for other Papers relating to the Grant of Vancouver's Island to that Association."

EARL GREY: I am very much indebted to my noble Friend for bringing this question before the House, because I find, from my noble Friend's speech, that he is entirely ignorant of the nature of the arrangement with the Hudson's Bay Company, and the grounds on which that arrangement was contemplated. I presume that my noble Friend, with all his acuteness and with all his research, has failed in acquiring a correct knowledge of the question. I am very glad to have this opportunity of explaining what really is intended to be done, and what are the intentions of the Government. In the outset of his speech, my noble Friend entered into the natural adantages of Vancouver's Island. I have no reason to controvert anything which he said upon that part of the case. On the contrary, it is because I believe that it is a most valuable possession, and that it is an island which it is of the utmost importance for the interests of this country to secure, that I venture to ask this House to approve what we have done. It is true, by right of treaty this country has been settled upon us; it is equally true that if this right were not acted upon, the practical right of the territory would become lost to us. It is abundantly evident from the symptoms which exist, that the land would become occupied with squatters, whom neither the Americans nor ourselves would be able to restrain, and in the course of a few years the practical possession of the island would become lost to the English nation. I have lately been informed that there are a certain sect called Mormonites, who, having been forced to quit the United States, are thinking of moving in a body, and setting themselves up in Vancouver's Island. It is obvious, when an eligible territory is left to lie waste, unsubdued to the use of man, it is impossible to prevent persons from taking irregular possession of the land. We have found it impossible in all our dominions to restrain such persons. The Government of the United States will equally be unable to prevent such an occurrence, and unless the island is regularly settled and regularly colonised, it is quite certain that it will be irregularly colonised by squatters. This being the state of the case, how is Vancouver's Island to be settled? If this country had a very large surplus revenue free to be engaged in expensive undertakings, it might have been very advantageous to have asked Parliament for a grant of 50,000*l.*, to be followed up by succeeding grants of 20,000*l.* or 30,000*l.* for several years to come; and without such a demand being assented to by Parliament, it would have been utterly impossible to have colonised the island. I believe no fact is better established than that a large expenditure is necessary to colonise a territory with any advantage. It is quite obvious under present circumstances it would be utterly unjustifiable to propose any such expenditure; therefore, either Vancouver's Island must have been left a barren waste, without any measures being taken to colonise it, or else some means must be found independent of Parliamentary assistance to make a settlement upon the island. How was this to be accomplished? I believe the only possible way was by entering into an arrangement with the Hudson's Bay Company. They undertake, in consideration of a grant of the land, to settle and colonise the island. I have no hesitation in saying I think that this is a very advantageous arrangement. My noble Friend says that it is a very reckless one, and he alluded to a speech of mine made some two years ago, where I expressed myself in favour of the principle of disposing of the land by sale and not by grant. There is no inconsistency between that statement and the present policy of the Government. If the Government was going to meet the expense, and had disposed of the land to settlers, undoubtedly the sale of the land would have been the proper course. But if we do not choose to undertake that expense, the only course that remains open to us is, to place some other authority over the territory, to make them the trustees of the duties of the Government, and to make them a grant of the land. I am persuaded that if this enterprise be well managed by the Hudson's Bay Company, it will only give them a fair return for the outlay of their capital. That it can do more is hardly possible. The land at present is entirely valueless. No matter how fine the soil, or however great the natural advantages, when it lies unused or unoccupied by man, land is perfectly valueless. It is only by being settled that land becomes of value; and I am perfectly persuaded that if this territory is ever so well managed by the Hudson's Bay Company, that they cannot realise more than a moderate remuneration upon their outlay. The principle upon which they will proceed will be this, they will sell the land in retail — in small portions to settlers, and the money thus obtained must be devoted to the purposes of colonisation. This was the course pursued towards the New Zealand Company. They obtained a grant of 1,000,000 of acres which they disposed of to the settlers, applying the money so received to the expenses of colonisation. This is precisely the arrangement which is made with the Hudson's Bay Company. They have received a grant of land which is at present utterly valueless. The noble Lord drew a distinction between the manner in which the grant of Labuan had been made to the Eastern Archipelago Company, and the manner in which this grant had been made of Vancouver's Island. In Labuan the Company had been made a present of a large tract of coal. The cases were different. Labuan was a settlement surrounded by fully colonised districts, where labour could be obtained in any quantity. I had only two days ago an account from Sir James Brooke that the contract for building the Government house only amounted to 650*l.* Everybody will agree that it is the cheapest Government house that ever was built; and it is a very excellent house into the bargain. Labuan possesses the advantages of being surrounded by colonised districts—it has the advantage of being in the vicinity of Singapore. Parliamentary arrangements were made, and Her Majesty's Government had asked Parliament for pecuniary assistance. When the colonists got their coals, the royalties would be paid, and cheap coals would thus be obtained for the service of Her Majesty's mails. In Vancouver's Island they intended to let the mines be worked by other parties, who would pay the Hudson's Bay Company for the privilege. This being the general design of the grant, I think that it is a very reasonable design, when the Government would not take the expense of a settlement upon its own responsibility. The Government, therefore, provided that the settlement should be placed in the hands of a Company, who were to act as trustees. But then my noble Friend says, in making this arrangement the government of this future colony has been quite forgotten. I thought that my noble Friend had too much acquaintance with the manner in which business is transacted, to have fallen into this error. It is perfectly true that in these documents only final results have been stated. This is the course which has been always adopted in transactions of this nature; but from the very earliest communication which has taken place between myself and my right hon. Friend Sir G. Grey, this subject has not been lost sight of. As long as these subjects are matters of discussion, investigation, and of private conversation between the parties concerned, it is far better that they should not be adverted to, until they can be placed before Parliament in a proper shape. The government of the colony must be provided for in the only way in which it can be done without appealing to Parliament. It will be done in the way which has heretofore been pursued: the issue of the authority of the Crown to a governor to act as such, the legislative power being entrusted to an assembly elected by the settlers, and a council to assist the governor being nominated by the Crown. This is the constitution of almost all our colonies. With regard to conquered colonies, the Crown has power to legislate by an Order in Council; but Lord Mansfield has laid down the doctrine that the Crown has not that right in unconquered colonies, but that they are entitled to a representative assembly to legislate according to their own views. So late as 1832, when I held a different situation in the department which I now occupy, Lord Ripon issued a commission to the Governor of Newfoundland, by which an elective assembly was created. So much with regard to the form of government which is to be adopted in this colony; and this at once disposes of all those visions of my noble Friend which he has had upon exclusive trade. But although these colonists may not have the right of trading with any of those districts where the Hudson's Bay Company possess an exclusive privilege, yet they will have the unlimited right of trading with all the rest of the world, subject only to those laws already enforced by previous Acts of Parliament. The land is only given to the Company as trustees to act for the public for the purpose of colonisation. My noble Friend says that we have taken a very inadequate security from the Company. I think that we have taken ample security. At the end of five years the grant is resumable, if settlements are not formed. But the real security is the power of resumption altogether at the end of eleven years, when also the exclusive privilege of trade will cease. At that time it is proposed that the Crown shall have the power of resuming the land, merely paying the Hudson's Bay Company the value of their buildings and settlements. I do not know what more can be desired. If the Company form private settlements in the colony, at a very moderate outlay, we shall regain possession of the land. My noble Friend says, that the appointment of the Governor by the Company is not consistent with the rights of the Crown.

LORD MONTEAGLE: Is not consistent with the claims of the Crown.

EARL GREY: There is no dispute upon this point. The Company are willing to vest the appointment of the Governor in the hands of the Crown. There are two reasons which both appear to me conclusive for making this arrangement with the Hudson's Bay Company. No parties came forward with anything like the capital necessary for the undertaking. My noble Friend said, that other parties offered themselves. It is perfectly true that such is the case. But it is equally true that I was quite ready to receive any offers from anybody who proposed. Two or three proposals were made, but they fell to the ground because the parties did not possess a tithe of the means necessary. On the other hand, the Hudson's Bay Company can undertake the task at a very much less expense than any other persons. The Hudson's Bay Company have also settlements in Vancouver's Island. I hold in my hand extracts from despatches of the Board of Management, dated the 15th of March, 1847, and the 6th of November, 1847, pointing out that the Hudson's Bay Company possess very considerable establishments, and have 350 acres of land under cultivation in the island. The Hudson's Bay Company, therefore, possess facilities for carrying on this plan which no other parties possess. The exclusive rights of trade which they possess for eleven years longer, would have been the greatest possible difficulty in the way of any other company undertaking the colonisation of Vancouver's Island. It is true that Government have the power of giving an exclusive right over property in the colonies; but it is clear, in common justice, that these exclusive rights could not be resumed by the Crown without giving rise to a claim for compensation to a very large amount. In common justice the Company would have a right to have paid to them the value of their rights. I must further observe, that if there did exist persons anxious to undertake some great scheme of cultivation, possessing any capital, there is no particular reason for choosing Vancouver's Island. The dominions of the British Crown are quite large enough, and there is every disposition on the part of Government to render these dominions available. The dominions are quite large enough to afford ample scope for colonisation for the people of the united kingdom. In New Zealand, the Cape, and Australia, there is almost an unlimited field for colonisation; and if there are parties having the means of embarking in such undertaking, so long as I hold my present office, if they will come to the Colonial Office they shall have every possible support and assistance in my power. My noble Friend has said, that the Hudson's Bay Company are utterly unfit to be entrusted with this duty because they proceed on a system opposed to colonisation—that they have established great fur preserves—and that persons whose object was the procuring of fur ought least of all to be entrusted with colonisation. It is quite true that the Hudson's Bay Company carry on the fur trade to a large extent on the continent of America; but I am not aware that there are any fur animals of consequence to be found on Vancouver's Island; and I believe that the fur establishments of the Company on the continent would be found of great advantage to the settlers on Vancouver's Island, inasmuch as it would give them the advantage of supplying provisions and stores to those settlements. To say that because they carry on the fur trade, they are unfit to colonise Vancouver's Island, is the same as saying that because a noble Peer possesses a deer forest in a part of Scotland, he is totally unfit to be a good landlord, and improve the value of his estate. I believe that the establishments for the fur trade will give additional value to the establishments for the purpose of colonisation in Vancouver's Island. I must defend the Hudson's Bay Company against the charge which has been brought against them of maladministration of the territory which they possess in North America. It is difficult to pass a competent opinion on matters on which information is extremely defective, namely, as to the state of the enormous territory over which the Indians run who procure furs for the Hudson's Bay Company; but, so far as my information extends, I believe the Hudson's Bay Company exercise their powers with great benefit to the Indians, and great advantage to the cause of civilisation and humanity. They have exerted themselves to prevent the introduction of spirits into those vast regions over which they possess exclusive rights. The Hudson's Bay Company assure me that they are doing all that lies in them to promote civilisation and improvement. If we contrast the condition of the territory of the Hudson's Bay Company over which they possess exclusive rights, with the condition of that territory in which the traders of the United States are allowed, without check or control, to compete with each other, there is no question of the superiority. They have established a strict and severe police, and I do not suppose that if the power of the Hudson's Bay Company were withdrawn, it would be possible for Government to supply their places. The expense of attempting to maintain a police force over those regions would be utterly impracticable; and I believe that unless the Hudson's Bay Company were acting under the spur of self-interest, and managing their great concerns in an able and efficient manner, they would not be able to maintain the system. Under that system the Indians are improving—many agricultural settlements have been established, particularly on the Red River. I hold in my hand extracts from letters from Lord Elgin and Mr. Croft, an officer of the Hudson's Bay Company, and against this testimony I cannot set up the petition of the noble Lord, which comes only with the single testimony of the individual who presents it. I justify the grant to the Hudson's Bay Company as trustees to the public for the colonisation of the island, upon the ground that unless they had undertaken the task, it would not have been undertaken at all; and that Vancouver's Island would, in the course of a few years, have passed from the dominion of the British Crown. The grant to the Hudson's Bay Company is not finally passed; but in the course of a few weeks, I trust it will pass. I have no intention of suspending it; but it is intended that, before any grant shall finally issue, this subject shall be further considered by the Committee of the Privy Council of Trade and Plantations; and if any further conditions appear to be expedient to be introduced, to insure the due performance by the Hudson's Bay Company of the duty which they distinctly consider imposed on them by this grant, they will be introduced. On referring to the correspondence, they say that they look to no pecuniary profit beyond fair interest on their capital; and if conditions are introduced to secure more completely the due performance of the intentions of this agreement, those conditions will be cheerfully and readily assented to by the Hudson's Bay Company.

Lord MONTEAGLE, in reply, said, he had heard with much satisfaction some part of his noble Friend's explanation, though he could not flatter him by saying that he had justified his proposed grant to the Hudson's Bay Company. It appeared that the whole question of the grant and its conditions would be subject to re-examination before the Privy Council. He trusted that the grant of the coal mines, and the principles on which the land was to be hereafter alienated by the Company, whether by sale or lease, would be carefully attended to. His noble Friend had stated that he had not contemplated charging either rent or royalty for these mines, and that Mr. Hawes's reference to the contract at Labuan only related to possible contracts between the Company and their future lessees. It was evident that such was not the interpretation put upon the proposal, at the time, either by Mr. Hawes or Captain Pelly. If it had been so understood, why should the latter have rejected it "as clogging the grant with a payment to the mother country?" Why should Mr. Hawes have referred to the conditions imposed at Labuan as "a guide to the proposals of the Hudson's Bay Company?" Two statements of the noble Lord were deserving of special notice. The one, his admission that the grant was made to the Company as trustees for the people of England. He (Lord Monteagle) wished that the terms of this trust should be clearly laid down and defined, and some mode of enforcing them provided. The other explanation was the important admission that no monopoly, or exclusive right of trade possessed or claimed by the Hudson's Bay Company on the continent, should be, directly or indirectly, exercised within the island. The settlers were to be free from all monopoly and restraints, beyond those of trading with the natives in the territories on the continent within which the privileges of the Company were stated to exist. These explanations so given by the Colonial Minister, were a justification and a reward to him, for having brought the matter forward, and would be some small return to their Lordships for the encroachment on their time and attention, of which he had been guilty.

Motion was agreed to.

CORRUPT PRACTICES AT ELECTIONS BILL.

The LORD CHANCELLOR, in moving the Second Reading of this Bill, called their Lordships' attention to what were the objects of the Bill, and what were the remedies it proposed. In the first place, it was merely a provision for inquiry; it affected no interest; it interfered with no rights; it proposed only a machinery by which investigation might take place in matters which their Lordships would not hesitate for one moment to say required investigation, namely, corrupt practices at the election of Members of the House of Commons. If such corruption existed, it was most important to ascertain to what extent it existed, in order that Parliament might apply a remedy to so great a grievance. If there was an interference with the rights of voters, their Lordships would not let it rest without exhausting all the means in their power to prevent the grievances arising from such an evil. He would call their attention to the evidence as it stood—as it had been ascertained in the course of the present Session. After the last general election many matters came under the consideration of the House of Commons in the shape of petitions, questioning the return of certain Members. In the course of the investigation many seats were questioned on the ground of corrupt practices having taken place at the election; but as soon as the Committee had ascertained the fact one way or the other, that there had been corrupt practices, then the functions of the Committee were at an end; they had no jurisdiction vested in them to pursue the inquiry, to ascertain to what extent these practices might have been adopted; but their jurisdiction terminated with the inquiry as to the validity of the return, and the title of the Member to retain his seat. Again, this constantly occurred. When it became evident that there was every probability of the disclosure of corrupt practices, it became the interest of both parties to keep this abuse out of sight, and, by some arrangement amongst themselves, to prevent the Committee further investigating a matter which was thought to be inconsistent with the interests of either party. In either of these cases, the functions of the Committee were paralysed. There had been evidence sufficient, although obtained incidentally only, to show that, to a great extent, and in a great variety of boroughs, corrupt practices had existed. In all the boroughs contained in the schedule, there was a report verifying the fact of corrupt practices; and as to many the Committee made special reports that such corrupt practices had been carried into effect to a very considerable extent. What, then, became the duty of Parliament? Was it to do nothing, and to allow such acts to be repeated on some other occasion? Was Parliament so indifferent as to the means of correcting such abuses, that it would not entertain the question, and endeavour to put an end to a system which every man would reprobate as productive of much evil, as demoralising especially the places in which such practices prevailed? The House of Commons had, therefore, sent to their Lordships a Bill merely arranging the machinery for the purpose of investigating these practices; not for the purpose of interfering with the existing rights and privileges of any person, but merely for the purpose of endeavouring to ascertain to what extent the practice had prevailed, for the purpose that, when the inquiry was concluded, and Parliament was in possession of the facts, some provision might be made with the view of checking the evil. That was the principle of the proposed measure—it was suggested from the beginning of the Bill to the end; and to show that that was the object, and that it had no other object but to ascertain future legislation, he would call their Lordships' attention to a particular clause which they might be surprised to find, but which was perfectly consistent with the other provisions of the Bill. It provided that a witness who might have been examined, and might have given evidence before either the Committee of the House of Commons appointed for the purpose of investigation, or before Commissioners appointed under the provisions of this Act, should not be a witness in any action or prosecution which might be instituted relative to the transaction to which the witness might have deposed. It was provided that the witness himself should be protected against any consequences personal to himself; but then it was suggested, and he thought rightly suggested, consistently with the principle on which the Bill proceeded, that, although a particular witness might be protected, his evidence might give rise to proceedings against others; and, as the object was that no man should suffer, but that the investigation should be solely for the purpose of informing Parliament, the Act protected not only the witness himself, but others, from the consequences of his evidence. With the facts that had been disclosed, with the knowledge which every individual possessed in a greater or less degree of the practices to which he had alluded, would this House refuse to co-operate with the House of Commons in passing a Bill the object of which was, if possible, to enable Parliament hereafter, by some legislative measure, to prevent a repetition of the offences? He could not believe that any of their Lordships would refuse co-operation with the House of Commons. That being the object of the Bill, he would state what was the plan of this Bill. The noble and learned Lord having described the mode in which the Commissioners were to be appointed, and the manner of conducting their inquiries, proceeded to say, that upon the principle of this measure there could be no difference of opinion. He asked their Lordships, then, to sanction the principle, seeing that it had received the assent of the House of Commons, and there would be other opportunities of considering the details. The object was neither more nor less than to investigate, not alleged but proved malpractices in the several boroughs named in the schedule, and into those of other boroughs should any hereafter occur. Surely their Lordships would not refuse their assent to an inquiry which the House of Commons deemed essential to the purity

DIPLOMATIC RELATIONS WITH THE COURT OF ROME BILL.

On the Motion that the Speaker leave the chair for the House to resolve itself into Committee on this Bill,

MR. ANSTEY rose to oppose its further progress. The true object of the Bill had not been laid before the House. He had, on a former occasion, urged the serious objections which were entertained by the vast majority of the Roman Catholics to this measure, but to none of which had the noble Lord the Member for the city of London, in the course of his speech on this question, made any reply; nor was any reply made by any Member who had spoken in defence of the Bill. This measure professed to have a double object—to declare the law, which it was said was in a doubtful state; and also to take away existing disabilities. It was, therefore, at once a declaratory and an enabling Act, which he need not tell any legal Gentleman in that House was an inconsistency. Was it right for the Government, after the many measures of universally admitted excellence which they had recently withdrawn in consequence of the advanced period of the Session, to persist in bringing forward this Bill, which was objected to by Roman Catholics as well as Protestants, and that too at a time when several hon. Gentlemen who entertained the strongest objections to it had left town under the impression that it would certainly be withdrawn for the present? Ought such a measure, under such circumstances, to be thus precipitately and indecently hastened forward? In the debate on the second reading of the Bill, the hon. Baronet the Member for the University of Oxford (Sir R. H. Inglis) had expressed a doubt as to a statement which he had made on that occasion, to the effect that there had been open and avowed diplomatic relations between the Court of Rome and the Court of St. James's since the time of Queen Mary. He would support the statement by two quotations from the *Annual Register*. The first was to be found in vol. l., p. 65, of the *Chronicle*, under the date of June 27th, 1808. [Mr. ANSTEY read the passage, giving an account of the Nuncio's audience of leave]. The second quotation was from vol. lvii. p. 120, of the *General History*. [The hon. and learned Member read the passage, containing an extract from the *Papal Allocution* of the 4th September, 1815, which gave an account of Cardinal Consalvis's reception at the Court of the Prince Regent as a Cardinal Legate, wearing the decorations of that office, and in which the Prince Regent was thanked for "the marks of kindness and attachment to our person," with which he had received that Legate.] Surely, then, these merely diplomatic relations could still be continued without the necessity of a new law. There was nothing, he reiterated, in the statute law, and certainly nothing in the common law of these realms, which interdicted political relations with the Sovereign of the Roman States. The noble Lord (Lord J. Russell), indeed, had himself stated, that he thought there was nothing in the laws of this country to prohibit such relations. It was, therefore, evidently the intention of the noble Lord, in pressing forward this obnoxious measure, after four months of an interval, to induce the Pope, by promises of temporal succour in his present difficulties, to accept the measure for purposes which it was well known he objected to when it was passing through the other House of Parliament; and having obtained the Pope's assent to it, the Government would then carry out the intention with which they had been charged, and which they had by no means disavowed, of "governing Ireland through Rome." It was to British diplomacy that the Government were teaching the Pope to look for the restoration of his temporal influence. The Government intended to negotiate in the affairs of Italy, not as the noble Lord had said, in the character of arbitrator, but that of mediator. He (Mr. Anstey) accepted the distinction; but that was the very reason why he would not entrust the mediator with such power when the party most interested in the success of the mediation was to be called upon to decide whether he would approve or condemn a favourite policy of that mediator in another quarter. The Government would address the Pope in such terms as these:—"Unless you accept this measure, you shall not have any benefit from our diplomacy at the approaching Italian Congress." He honoured the present Pontiff—he knew him to be a man of transcendent vigour, wisdom, and disinterestedness; but he (Mr. Anstey) would not be a party to leading even him into such temptation. There was something more dependent on this measure than the pacification of Italy; the peace of these realms was involved in the settlement of this question. If they adopted this measure under the pretext of pacifying Italy, they would fail in that; but they would go far to produce and perpetuate civil war in these islands. This measure, if it became a law, would raise against the governing powers the jealousy, distrust, and hostility of the majority of the Protestants and Roman Catholics in these realms. The Protestants would say, that the Government had not attempted to deny that the object of this measure was to bribe the Pope—to make a large concession to him at their expense; and the Roman Catholics would say that the Government had not denied that their design was to bribe the Pope at their expense. The bribe was to be the maintenance of the Pope in the possession of his temporal dominions. Whilst the Ministers, by this Bill, would have the privilege of using openly the influence of the Pope for their political purposes, the Roman Catholic subjects of the Queen in England and Ireland would be deprived of the power which they had hitherto exercised of communicating with the Pope, at least in secret. So that if this Bill passed, the Roman Catholics would be delivered up, bound hand and foot, to any British Minister of State who was willing to bribe or threaten; and the statesmen of this country were capable of doing both. The noble Lord the Member for Arundel (the Earl of Arundel and Surrey) had said, that his vote on the third reading would be guided by the manner in which the House should receive his Amendment on that part of the Bill which was insulting to the Pope, by refusing to style him "Sovereign Pontiff," a title by which he was known throughout the whole of Christendom. But how could the noble Lord expect to succeed in his Amendment when he had the Government and their supporters arrayed against him? He therefore claimed the noble Lord's support against this Bill in every one of the stages through which it would have to pass. He would oppose it in Committee; and if the Bill did pass through Committee, he should move that the third reading be postponed for six months. If he failed in that, almost his only hope would be in the effect to be produced at Rome by the insolent phraseology employed. If an ambassador went from this country to Rome, he would not be received by the Pope unless he addressed him in the usual style. And, if so, what was the use of inserting in the Bill the insulting title of "Sovereign of the Roman States?" Why not, at all events, call him what every sane man must admit him to be, "Sovereign Pontiff of the Church of Rome?" He felt inclined even to hope, that at the moment this Bill received the Royal Assent, the Pope would have ceased to be "Sovereign of the Roman States," in order that the object of this Bill might be defeated. He was sorry to be obliged to detain the House so long on this question, and the rather, because it would be again and again his duty to do the same. But the noble Lord at the head of the Government had it in his power at once to render his opposition unnecessary, and bring the Session to a close, by consenting to withdraw the Bill. If the noble Lord did not do so, he deserved no pity if he should be "sitting in his place" in that House long after the 31st of September. He would oppose the Bill in every stage, and divide the House on every point which in any way touched the great principles to which he had adverted. The hon. Member concluded by moving that the House go into Committee on the Bill that day three months.

Sir J. TYRELL was unwilling to prolong or interrupt the proceedings of the House; but he held in his hand a letter to which—as this might perhaps be the only opportunity afforded him of doing so—he begged to call their attention. He was of opinion, and he believed it was a popular notion, that the continued protraction of the Session was attributable to the lengthened speeches of the hon. Member for Youghal, who, from his entering the House, had appeared to consider that he was called upon to take a very conspicuous part in its proceedings, and who had brought forward some measures which had not been received by the House in a manner that could be very satisfactory to him. There was also a popular opinion very prevalent with regard to the noble Lord at the head of the Government, who was not considered to feel any strong objections to the length of the Session. The fact was, that the noble Lord now resided in an agreeable villa at Richmond, and he found it much more convenient to go down there than to his constituents in the City. He (Sir J. Tyrell) wished Her Majesty would find the noble Lord a villa at some greater distance from town, for then there might be some better chance of the Session being shortened. He had not the advantage of being present during the former discussion on this Bill; but he believed there was some little difference between the noble Lords opposite (Lord J. Russell and Viscount Palmerston) with respect to the grounds on which they supported the measure. He understood that the noble Lord at the head of the Government supported it with a view of governing Ireland through the instrumentality of the Bishop of Rome; while the noble Foreign Secretary gave it a sugar-plum character, and degraded it to a commercial question. He always listened to the noble Lord (Lord Palmerston) with great satisfaction; and he was amused at the ease with which he fobbed off Gentlemen who put inconvenient questions; but still he thought the Government would do well to consider and propose some remedial measures for Ireland. The letter to which he wished to call the attention of the House was dated "Kenmare River, West Coast of Ireland, August 6," and was written by a friend of his. on board his yacht. The hon. Baronet proceeded to read the letter, the writer of which, referring to the system of terrorism which prevailed in the country, and stating that he had been protecting a gentleman's family, said—

> "The vagabond priests ought to be exterminated, as there is not a doubt but that in many cases they urge the people on, and, now they are frightened, pretend to try to quiet them. From what I saw last Sunday, I am quite convinced they are an awful set. Two policemen came over from Kenmare, to post up the proclamation on the chapel gate. The priest met them, and, with a volley of abuse, told them if they put it up, it would be immediately torn down. No sooner were the backs of the policemen turned, than the proclamation was torn to bits, and thrown into the road. The policemen put up another, and it as soon shared the same fate. These are the scoundrels Lord Lansdowne praises in the House of Lords, and the very fellow who thus defied the Queen's proclamation is constantly with Lord Lansdowne when he comes here to see his property, so his information cannot be very good respecting them; but it seems to be his main object, when here, to have no one but priests about him."

The writer added, that the name of the priest was Hampston, in the parish of Templemore, in Kenmare. [Mr. J. O'Connell rose to order. He did not see what a letter written by some anonymous slanderer in a drunken moment had to do with diplomatic relations with Rome.] This was not the letter of an anonymous slanderer; it was written by a gentleman whom he would be ready to produce at the bar, if necessary. The letter was not anonymous; the writer's name was Major Peton. He had also with him a letter of the 12th of August, published in the *Tipperary Vindicator*, and which would throw some light upon the subject. [The hon. Baronet here read a letter of the Rev. J. Molony, which had appeared in the *Times* of August the 23rd.] Let hon. Members consider these things, and say, whether the legislation required was not some vigorous measure with regard to such priests.

Lord J. RUSSELL: Difficult as it is to understand the motives of the hon. Member for Youghal (Mr. Anstey), who, after a discussion on the second reading, thought it necessary, in a speech of an hour long, to repeat the arguments he before used, the motives of the hon. Gentleman who has just sat down are still more unintelligible. The hon. Gentleman, it appears, not having a villa at Richmond, has not found it convenient to attend the second reading of this Bill; but, having read in the newspapers some report of the speeches, which were either very inaccurately reported, or which he has not understood, he comes down and asks what the object of the Bill is, and, not choosing to have the benefit of listening to the discussion, expects that we shall again go through the arguments upon which the Bill is supported. And then, with a view of explaining something of his own opinion, he reads what is evidently a private letter; and which is only excusable on the ground of its being entirely a private letter, written with the familiarity and the carelessness with which people write private letters—a letter in which the writer, being provoked with the priests, calls them vagabonds, and very coolly says that they ought to be exterminated. Why, probably, if he was asked to justify his letter, he would say, "I mean nothing but kindness; I wrote this in a hurry, and in the freedom of familiar intercourse; and I never could imagine that anybody would be so imprudent or so blundering as to take it otherwise, or have the indiscretion to produce it in the face of the whole House of Commons." I dare say, he is a very respectable gentleman. I observe, however, he gives a very bad account of his friend, of his having deserted his wife and daughters, and run away—an account which I should think he would be sorry to have brought before the House. Every one knows that in Ireland there has been actual outbreak in one or two places, and a great part of the country has been on the eve of insurrection, and there are persons, favourers of that insurrection, whose conduct has been most reprehensible; if the gentleman of whom we have heard, proposed and incited others to tear down the Queen's proclamation, that was very reprehensible conduct; and I think that that letter which the hon. Member read, and which I saw, was a letter favouring treason and rebellion. Those are specimens of the conduct of individuals; if we are to enter into the conduct of individuals we know that many priests of the Roman Catholic communion have exerted all their efforts and risked their influence with their flocks in order to prevent them from being led into the dangerous course to which they were incited by the rebels who were endeavouring to seduce them from their allegiance. What Lord Lansdowne may have done, and whom he lives with when he goes to Ireland, is hardly to the purpose; but Lord Lansdowne is a man who, when he finds good conduct, whether it be in Episcopalian, Presbyterian, or Roman Catholic, has that sense of justice and toleration that he would not allow a peculiar faith to separate him from such a person. The hon. Member who has made this Motion, has put forward two reasons for inviting us to discuss again the second reading of this Bill. The one is, that my noble Friend (Lord Palmerston) made a speech which was remarkable for its brevity. Why, I think, in these times, a Member who makes a speech which is remarkable for its brevity ought to be held up as a model. Members who have entered the House in this Parliament for the first time, should be told—"Look at that gentleman; endeavour to do something of the same kind." At all events, such a speech should not be made an occasion for debating over again measures already discussed. I think that was a remarkably bad reason for reviving the discussion of the second reading. His other reason I think was equally unfounded; he said—"I spoke at great length on the second reading," which he certainly did; "but not many persons chose to be present to attend to my arguments; nobody seemed to mind them—nobody answered them, and therefore I think it necessary to repeat them over again." It is true we have heard,

"Gutta cavat lapidem non vi sed sæpe cadendo;"

and the hon. Member, having made a speech which was not listened to and not answered, thinks, perhaps, that it may have some effect if he repeats his speech, and takes the chance of an audience somewhat more numerous, and the still further chance that some one may answer him. But I think that is a course very inconvenient to the House, and I will not assist in it; every Gentleman who imagines his arguments have not been sufficiently attended to or answered, may think he has only to repeat them on some other day in order to get a discussion again upon the subject, and thus the House would have constant repetitions of former discussions. With regard to my not having answered his statements, I believe it really was from the want of that brevity with which he reproaches my noble Friend. When the hon. Gentleman made a speech the other day, I listened to it for some time; but though undoubtedly there were arguments, yet I was not in possession of the chymical test which would detect the solid matter in such a quantity of fluid. I was not able to find exactly where the solid argument was; and, therefore, although I heard a considerable part of his speech, and although I took part in the discussion afterwards, and replied to the arguments of the hon. Member for Oxford and others, I felt myself incapable of replying to the argument of the hon. Gentleman. And I do not propose to reply to it now, because I find myself in the same situation. The hon. Member has vaunted himself very much upon his own legal opinions. I have gone upon those of Lord Campbell and Lord Cottenham; they are sufficient for me, according to my understanding, and possibly the House may be more disposed to attend to them. [Mr. Anstey: What are they?] With regard to the several questions which are proper for Committee, they will be raised there, and I hope we shall now go into Committee accordingly.

Mr. SPOONER would shortly state the reasons why he should give a vote in opposition to this question. It might be unusual to discuss a measure again on going into Committee; but if unusual circumstances attended a particular measure, it was not a factious opposition to oppose it in every stage, and by every legitimate means. The Bill, in the first instance, would have conferred a power on the Crown in contravention of the Act of Settlement and the Bill of Rights; but when this was ascertained, the promoters of the Bill in its original form did not dare to go that length, but attempted to turn the whole matter into one of a mere Bill to resolve certain doubts. The Bill had now changed its original character; and the noble Lord (Lord Palmerston) told the House that the Act was only intended to establish commercial relations with Rome, and to assist in making railroads in the Roman States. Why, then, if this Bill was not intended to establish unconstitutional relations with the Court of Rome, where was the necessity for this indecent haste in pressing it forward? He was certain some purpose was to be effected. There was a packed majority in that House. He knew the opponents of the measure were in a minority, because the Government had chosen to take them by surprise; and as he was satisfied that the attempt was made to force this measure on the country in an unconstitutional manner, he would raise all the opposition in his power to it. He put the noble Lord to the test of his political integrity on this question, namely, to make a call of the House. If the noble Lord would do that, and if he (Mr. Spooner) were still in a minority, he would offer no further opposition. He called on all hon. Members who valued the Protestant constitution, and who respected their pledges at the hustings, to join him in opposing a measure which it was understood was not to be carried this Session. He asked the noble Lord either to withdraw the measure, or to consent to a call of the House.

Mr. J. O'CONNELL, after condemning the attack made by the hon. Member for Essex on the Catholic clergymen of Kenmare, whose conduct during the season of distress had been exemplary, proceeded to say, that there was no reason to think that the opposition opposed to this Bill was of a factious character; on the contrary, the manner in which the measure was pushed forward by the Government was a factious proceeding. The opposition to the Bill was based on principle; and he, and Catholics generally, objected to it on principle. The policy of the Government, in connexion with this measure, was paltry, unworthy, and unwise. The main object of the Bill was to give the Government an illegitimate influence over the Catholic clergy in Ireland. The empire owed a debt of gratitude to the Catholic clergy for their exertions to preserve the peace of Ireland, more particularly on a recent occasion. The Government and Parliament might obtain a legitimate influence over the Catholic clergy by doing justice to the people of that country. The Government, however, preferred attempting to bribe the ruling power at Rome, in the hope that by his means they might corrupt the Irish clergy; but the Sovereign Pontiff would throw back their Bill with contempt.

Lord JOHN RUSSELL moved that the debate be adjourned to Six o'clock the same evening.

Sir R. H. INGLIS moved asan amendment that it be adjourned to Wednesday next.

The House divided on the question that the debate be adjourned to the evening:—Ayes 73: Noes 28; Majority 45.

List of the Noes.

Anstey, T. C.
Blackstone, W. S.
Broadley, H.
Bruen, Col.
Burrell, Sir C. M.
Chichester, Lord J. L.
Dick, Q.
Duncombe, hon. O.
Fagan, J.
Forbes, W.
Frewen, C. H.
Grogan, E.
Hamilton, G. A.
Hildyard, T. B. T.
Hood, Sir A.
Knox, Col.
Lacy, H. C.
Mandeville, Visc.
Napier, J.
Newdegate, C. N.
O'Connell, J.
Pearson, C.
Reid, Col.
Renton, J. C.
Robinson, G. R.
Tyrell, Sir J. T.
Urquhart, D.
Vyse, R. H. R. H.

TELLERS.
Inglis, Sir R. H.
Spooner, R.

Sir J. TYRELL called upon the Government to make inquiry into the case which he had brought under the notice of the House, and on the accuracy of which he would stand. If the noble Lord did not give a satisfactory assurance upon the subject, he would move that the House should adjourn.

Lord JOHN RUSSELL replied, that if the hon. Baronet would furnish the Lord Lieutenant of Ireland with information which would show that an offence at law had been committed, the Lord Lieutenant would take the opinion of the legal advisers of the Government on the subject. If, however, it should appear that there was not evidence on which a conviction could be calculated on, he would not advise the Lord Lieutenant to direct a prosecution.

Sir J. TYRELL was satisfied with the noble Lord's statement.

Debate adjourned.

THE MAURITIUS.

Lord G. BENTINCK said, he wished to put the following questions to the hon. Gentleman the Under Secretary for the Colonies:—"1. The expenditure of the island of Mauritius for each of the years 1846 and 1847, and the disbursement made in each of those for emigration? 2. The amount of reduction of taxes in the island, distinguishing the taxes levied for general purposes from those levied for special purposes, such as immigration taxes, quay and tonnage dues? 3. In what consist the reduction of 65,000*l.* a-year, stated by Her Majesty's Government to have been effected in 1847, and whether those reductions do not partake of the nature of commutations of taxation rather than of reductions? 4. The balance in the Island Treasury on the 31st day of December, 1846 and 1847, respectively? 5. The amount of funds now in the hands of the colonial agents in London belonging to the island, separating the amount invested in the public funds from those which are not? 6. Whether any instructions have been sent out to the Governor with a view to the reduction of expenditure, as suggested at various times by the Mauritius Association? 7. Whether the Government bank has been established, of which it was intended Mr. Macaulay should be the manager; and whether any salaries have been paid, or are appointed to be paid to Mr. Macaulay, or to any other directors, and the amount of those salaries, if any? 8. The grounds upon which the late Auditor General of Accounts has been permitted to retire upon a pension, the amount of that pension, the name of his successor, and, if that successor be Mr. Ker, whether he be or be not Sir W. Gomm's brother-in-law?"

Mr. HAWES said, he would endeavour to give a distinct answer to each question of the noble Lord, in the same order in which they were put. As to the first, he found from a despatch of the Governor of Mauritius, which had been recently laid on the table of the other House of Parliament, that the revenue of 1846 was 278,070*l.*, and of 1847, 289,193*l.*, and that the disbursement for emigration was, in 1846, 41,098*l.*, and in 1847, 50,207*l.* With respect to the questions Nos. 2 and 3, the noble Lord would find in the papers laid before the House on the 9th of March, 1848, a very minute and elaborate account of the taxes which had been retained, and of the new ones which had been imposed. From those papers it appeared that the total decrease of taxation was 35,700*l.*; and in a despatch from the Governor, dated the 4th of February, 1848, he stated that an ordinance would be issued for the total suspension of the stamp duties, by which there would be a further reduction of taxation to the amount of 30,000*l.*, making in all 65,000*l.* In answer to No. 4, he believed that on the 31st of December, 1846, there was an available balance of assets of 131,439*l.*; and on the 1st of January, 1847, of 139,491*l.*; though he doubted whether that was an available balance, because considerable sums of money were sometimes placed in the colonial chest as trust moneys on bond, and they had amounted to as much as 50,000*l.* The amount of those moneys, therefore, whatever it might be, must be deducted from the sum he had mentioned. As to No. 5, he believed the funds in the hands of the colonial agent consisted of 1,671*l.* cash, and 42,000*l.* in Exchequer bills. With reference to No. 6, he could say that his noble Friend had, on more than one occasion, made very strong recommendations to the Governor to reduce the expenditure of the island. As to question No. 7, the only person receiving a salary was Mr. Macaulay, whose salary was fixed at 1,000*l.* a year. The only other directors were the Colonial Treasurer and the Auditor General, and they would not receive any salary. No issue of Government paper had taken place, because the conditions proposed by the Government had not been accepted, and the bank was consequently not in practical operation. With regard to the last question put to him by the noble Lord, the late Auditor General had served since 1815, and had been superannuated on the ground of ill health; and taking into consideration his long services and high character, the Treasury had awarded him the full amount of his salary as a pension. The noble Lord was aware that the question of what amount a pension should be was entirely decided by the Treasury. His successor was Mr. Ker, and he (Mr. Hawes) had every reason to believe that Mr. Ker was the brother-in-law of Sir W. Gomm. The pension awarded to the late Auditor General was 800*l.* a year.

DIPLOMATIC RELATIONS WITH THE COURT OF ROME BILL.

Debate resumed.

Mr. MOORE denied that the Irish priesthood had ever been aught else than the friends of loyalty and order, or that the illustrious Pontiff would ever exert his influence for any purpose which would not tend to the honour and credit of religion. The hon. Member for North Essex had been guilty of a gross libel on the Irish priesthood.

Mr. URQUHART complained that many Members had been obliged to return from the north at great personal inconvenience, in consequence of this Bill, contrary to all expectation, having been again brought forward. The Government had not acceded to the proposition either to make a call of the House, or to postpone the Bill till next Session; and he should therefore oppose it by every means in his power. One ground of his opposition to this Bill was, that it would bring another country within the range of our diplomatic influence, and thus augment the irresponsible authority of the Foreign Office. The Bill had not been pushed so long as the Pope was in a condition not to accept it; but now that he was humbled, broken, ruined, it was pressed forward in the hope that he would be unable to resist the influences brought to bear upon him. The object of the Bill, indeed, was to obtain what Austria had so long held—influence over the councils of the Pope.

Mr. PHILIP HOWARD believed that the Bill was brought forward, not to obtain any undue influence over the Pope, but on general principles. As a proof of the feelings entertained by the Pope towards this measure previous to the events to which the hon. Gentleman had just referred, he would read part of a letter from a small publication written by Bishop Wiseman, entitled, *Words of Peace and Justice.* Bishop Wiseman said—

> " As soon as the Diplomatic Bill was proposed, I not only diligently studied its bearings, but forwarded a copy of it to the Cardinal Secretary of State, from whom I received an answer, dated Rome, February 22, 1848."

That answer was as follows:—

> " In accordance with the desire expressed by your Lordship to the Under Secretary of this department, I immediately placed before his Holiness the Bill enclosed in the letter, and how agreeable an impression it has produced on the mind of his Holiness you may easily imagine."

This was written before the French revolution, and before the occurrence of other important events on the Continent; and it showed with what feelings the Pope then regarded this measure. He would give the Bill his cordial support, though he regretted the introduction of the second clause, and would vote against it when the proper time came.

Mr. M. POWER would, in Committee, vote with the noble Lord (the Earl of Arundel and Surrey) against the second clause; but, as a whole, he gave the Bill his cordial support. He supported it on the ground that it was better to have open and undisguised rather than indirect and clandestine intercourse with the See of Rome. He represented a population of 800,000, of whom 700,000 were Roman Catholics; and he had not received a single communication adverse to the Bill; so that he came to the conclusion that it was approved of by the Roman Catholic people of this country. He deprecated the notion that the influence of the Pope could be used politically in Ireland. From what he knew of the people of Ireland, he was sure that if the Pope were to attempt to interfere so as to make them subservient to any Government, his interference would be rejected. He was himself a Roman Catholic, and he would not hesitate to tell the Pope, that though he owed him obedience in spiritual matters, he would exercise independently the rights of conscience on all civil questions.

Mr. DRUMMOND complained that the House was now compelled to re-enact what it had already finished, to re-discuss on going into Committee a question which they had reason to think had been settled long ago. The hon. Member for Limerick had told them, that they were indebted solely to the priesthood for the tranquillity of Ireland; and so raised a question as to what were the real causes of disturbance there, and what effect this Bill was likely to have upon it. He (Mr. Drummond) did not believe that this Bill would enable Her Majesty's Government to do more than they could without the Bill. He had already stated that it would be most mischievous in its operation, and most insulting both to the Crown and to the Roman Catholics in Ireland, if it were to be used for the purpose of bringing any influence to bear on the Government of that country; nor would he believe that Her Majesty's Government had any such intention. But there might be some fancy that it was possible, directly or indirectly, to rule the Pope, and chain the spirit of the priesthood. Those who thought so could not have read history aright if they did not know that from the days of Constantine to this hour there had been one uniform constant endeavour on the part of the priests, in every country in Europe, to cajole the laity, and take all temporal power into their hands. He spoke not of one bishop or another, but of a class; and, lest it should be said he was calumniating persons behind their backs, he should take the liberty of showing how it was that the poor people in Ireland were shamefully treated. A Roman Catholic bishop wrote a letter to an hon. Gentleman, which letter that hon.

Gentleman read at that place which he called, it must be supposed in mockery, Conciliation Hall, putting it to those who were described as having to encounter famine, pestilence, and division in Ireland, whether there was not evidence of a deep-laid and widespread conspiracy in England, and of efforts being made to exterminate the priests and annihilate the people. The hon. Membur for Cork might say that was all Tallagh-hill. But this was the letter of a Roman Catholic bishop, who taught his people that his voice was to them the voice of God. The was the language of a man to a people who, he knew, believed they were to have no private judgment in the matter. Rightly instructed Roman Catholics might tell the priests they exercised a judgment in politics; but the great majority of Roman Catholics neither did, nor dared to do, any such thing. The Young Irelanders, who were accused by those bishops of being infidels, vindicated themselves in a protest, declaring that they did not deny the ecclesiastical authority of the priesthood, but only their political authority. On that ground alone was the Young Ireland party excommunicated. In a letter to Lord Shrewsbury from Dr. M'Hale, on a subject entirely political, the Roman Catholic peers of England were accused of lending themselves to a foul conspiracy against the Catholic people and priesthood. It was to a population steeped in poverty that such language was addressed. A gentleman, who was under a cloud, and whose name, therefore, he would not mention, asked the men of Tipperary whether they would be content to lie down another year and see the produce of their fields transported to other lands; adding, that if they allowed it to leave their shores without a struggle they deserved to continue slaves for ever. But in that House an hon. Gentleman said to them tauntingly, "Yes, you are going to bring to this country the crops we have raised to feed yourselves, and then bring from America damaged meal for Ireland." Could a country where such language was used be content? The priests would say, "Monster meetings if you like, but no pikes." What was the meaning of a monster meeting but to intimidate the Government? It was the duty of Parliament to act as fairly towards the Roman Catholics of Ireland as towards the priesthood of Canada or Scotland; before Ireland could be tranquillised justice must be dealt out, and the Roman Catholic priests receive their due. If they were bad in one respect, that was no reason for punishing them in another; but while they were to be punished as instigators of rebellion, they ought also to receive the assurance that the same paternal protection and the same liberality would be extended to them as towards others of Her Majesty's subjects.

Sir R. H. INGLIS could not accept the compliment which had been offered to him in the course of the discussion, at the expense of those who concurred with him in opinion; for he had no right to suppose that his vote was influenced by purer or higher motives than theirs. There might be incidental questions with respect to railways and commerce, on which negotiation might be requisite; but what he objected to was, the formal recognition and practical reconciliation which this measure involved with the See of Rome. Even in Roman Catholic times, an ambassador from the Pope was required to take an oath that he meditated nothing against the interests of the Crown of England. Then, who was at this moment the real practical Sovereign of the Roman States? Considering the opposition of Protestants and Roman Catholics alike to the measure, and the probability that it would produce neither permanent nor temporary good, he could not think the hon. Member for Warwickshire had pursued an unwarrantable course in opposing the Bill in all its stages.

Lord H. VANE cordially supported the Bill; it was for the public convenience that diplomatic relations should be established with the See of Rome.

Mr. NEWDEGATE said, that throughout the discussion on this Bill, there had been frequent allusion to "the higher purposes" it was calculated to serve. Now, he thought that the Church of England and the Protestants of this country had a right to be told what those "higher purposes" were. No explanation, however, had yet been given on that point by any Member of the Government; and he was inclined to conclude that the reason of that was, that the Members of the Government were at cross purposes on their own Bill. In his opinion, the immediate though unavowed purpose of the Bill was to seek to gain, through the Pope's authority, power over Her Majesty's Roman Catholic subjects in Ireland. He believed, however, that in this the Government would prove unsuccessful, and that both the Papal authorities and the Roman Catholics would, as in previous instances, have recourse to the plea that the Pope was acting under restraint, if anything inconsistent with the ulterior purposes of the Roman Church with respect to this country resulted from the contemplated negotiations. The hon. Member then referred to the universal supremacy, temporal as well as spiritual, claimed by the Pope, and warned the House of the danger of recognising that claim by the adoption of the present Bill. The plea upon which this Bill had been introduced was too futile to blind any one to its real purpose; the flimsy pretext of commercial purposes had been dissipated by the right hon. Member for the University of Oxford. The intention of its framers, the Government, was the same as before the Bill was altered by the House of Lords; and as they were to have the administration of the powers it conferred, its operation would be perverted to the objects against which the Lords' Amendments were intended to guard, namely, the introduction of the spiritual authority of the Pope, and its legalisation in the united kingdom; and under the wide interpretation of the term "spiritual power," which Rome enforced, would the Pope's temporal authority likewise be active, in contravention of that supremacy, both spiritual and temporal, which the constitution vested in Her Majesty. In deference to the opinions of those who had framed the Lords' Amendments, he had doubted whether he should not abstain from voting against this stage of the Bill; but the discussion had removed his doubts, and he should most cordially vote against it.

Sir H. W. BARRON denied that the Pope either claimed or exercised any temporal authority in this country. At the present time the temporal power of the Pope was a mere nullity; and, although a Roman Catholic, he rejoiced that it was so, because he held that the mixing up of religion with politics always injured religion. He admitted the Pope's authority over him in religious matters, but he abjured as strongly as words would allow him any right on the part of the Pope to sway his political feelings, or to interfere with his allegiance to his Sovereign; and such was the opinion of all enlightened Catholics. The question before the House was not a question of religion at all, but of pure politics. Because the Pope differed from them in religion, would they hold no diplomatic relations with him as a temporal prince? If that was sufficient to justify them in declining to enter into diplomatic relations with the Pope, it would equally justify them in sending back the Minister of the Sultan, and almost every other ambassador at present in England. Some Irish Members who set themselves up as the representatives of the Roman Catholics of Ireland, had opposed this Bill. He was as intimately acquainted with the feelings of the Roman Catholics of Ireland as those hon. Members could be, and he declared that they were not unfavourable to the Bill; that on the contrary they hoped it would pass; not because they expected much benefit from it to themselves, but because they thought it was a disgrace to the British empire that diplomatic relations with Rome should have been so long suspended, and because they looked upon this Bill as the removal of a slur upon them and their religion.

Mr. ROBINSON had not heard throughout the whole of this discussion a single argument brought forward to show the pressing necessity for a measure of this description. The hon. Baronet who had just spoken had referred to the case of the Sultan; but there was no analogy between the cases of the Sultan and the Pope, because the former did not, like the latter, seek to exercise any spiritual authority. He admitted that it was an unusual course, after the second reading of a Bill had been carried by a majority, to interpose obstacles to it at this stage; but considering the character of this measure, he agreed with the hon. Member for Warwick and others in the propriety of offering every opposition to it in his power.

Mr. NAPIER supported the Amendment, and begged to submit whether it were fair, after so many useful Bills had been already postponed on the ground that it was too late to discuss them, that the House should be called upon to give a preference to a Bill relating to railroads in Italy? and whether the hands of Parliament were not full enough with regard to the affairs of this country to justify them at this moment avoiding idle discussions on controversial topics? Many very useful and important Bills in reference to Ireland had been postponed until next year in consequence of the lateness of the Session; but how could he excuse himself to his constituents, if they should be able to say, that while those Bills were postponed, the

House nevertheless found abundance of time to discuss a Bill for establishing diplomatic relations with Rome, and for promoting railways in Italy, which many persons, too, thought affected the Act of Settlement and the foundation of the monarchy? He preferred the interests of Ireland to the interests of Italy. Whatever might be the merits or demerits of the present measure, a large proportion of the Protestants of this country did feel that it was of most vital importance, and required full and fair consideration; and a large proportion of the Roman Catholics also felt that it was insulting to their religion. This was always the effect of half-and-half measures; and he should be failing in his duty if he did not protest against the measure being hurried forward at the present time. He should therefore, to the utmost of his power, resist it at each stage, and on every legitimate occasion. In consequence of this Bill being allowed to lie dormant for so long a time, many hon. Members had left London, supposing that it would be dropped; and he complained of the stealthy way in which it was now proposed to carry it through the House.

Viscount PALMERSTON claimed the vote of the hon. and learned Member (Mr. Napier) in favour of the Bill, for the very reasons which he had given for opposing it. The hon. and learned Member had referred to a number of Bills connected with Ireland, intimating that they ought to be passed, if not in the present, at least in the next Session; and yet in the same breath, with respect to the present Bill, which the hon. Member contended was one of great importance, and required full discussion, the hon. and learned Member, instead of allowing the House to enter into the discussion of it during the existing Session, proposed that its discussion should be put off until next Session, in order that it might then stand in the way of the consideration of those other measures which he had intimated he would support. The hon. and learned Member said that the Bill was being stealthily proceeded with at the end of the Session; but his noble Friend (Lord J. Russell) had already explained that no deception had been practised on the House with respect to the intention of the Government to go on with the Bill. The present debate appeared to him to be the most singular in character that he had ever heard in that House; because almost every Member who had opposed the Bill had done so not only on different but on perfectly conflicting grounds; and the arguments of the opponents of the measure, if let alone, would be found to destroy one another, and leave a perfect blank; and he also thought that a greater proof that nothing could be said against the Bill, could not be afforded than the fact that everything but the Bill had been discussed. They had had musty theology, feudal history, Irish distress, and the relations between landlord and tenant—in fact, everything but the Bill itself. One hon. Member (the hon. Member for Youghal) said that this was a most outrageous Bill, because it tended to destroy the independence of the Pope; and another hon. Member argued that it was a most dangerous measure, because its effect was to destroy the independence of the Crown. How it could have both of these effects was not explained. He should, therefore, leave these parties to fight the matter out among themselves; but it gave him great and sincere pleasure to see so many hon. Gentlemen who had outlived the fatigues of this laborious Session in the enjoyment of such animal spirits and health, that they were determined to show that, whatever time they had spent in that House, they were still vigorous, active, and alive; and he only hoped that during the recess and the ensuing Session they would continue to possess the same faculty to devote their energies to the public service. He had been told that he had made a speech of great brevity; and this reproach was cast on him by the hon. Members for Youghal and Stafford. All he could say was, that short as his speeches might be in general, yet, adding them to the speeches made in the course of the Session by those two hon. Members, they would be found—if the average were taken, and of course he only meant the average—to have occupied more time than those of any other hon. Member. The Bill before the House was a plain measure for remedying what he considered to be a gross absurdity—for removing a practical, political, and commercial inconvenience; and as to those deep schemes and that mysterious mischief which the Government were supposed to contemplate, they had existence only in the imagination of those who accused the Government, but not in the intentions of the promoters of the Bill. Some merriment had been occasioned by the mention of railways in Italy; but all he had said on that subject, by way of illustration, was, not that the British Government wanted to make railways in that country, but that if railway communications were created there, the arrangements connected with which might be of importance to the intercourse of England with her possessions in other portions of the globe, and to her commercial interests in other respects, England required the authority of an Act of Parliament, in order to enter into those diplomatic relations with Rome which she maintained with every other State in the world. Some hon. Gentlemen, who had a horror of any connexion with the head of the Catholic Church, had asked whom the British Government proposed to treat with; and they urged it as a reason for postponing the Bill that, perhaps, the Pope was no longer the sovereign of Rome. Thus they took both sides of the question, just as it suited them. At one time they objected to entering into diplomatic relations with Rome because the Pope was the Sovereign Pontiff, and at another because somebody else might be the sovereign. The hon. Member for Youghal (Mr. Anstey) represented that this measure was not necessary, and that diplomatic communications were lawful already; then surely he need not object to the Bill, if others thought it necessary, and considered the law doubtful. The Bill, in his view, would be but surplusage. Either he or the hon. Member for Stafford (Mr. Anstey or Mr. Urquhart) had quoted cases in which there had been, as he said, diplomatic intercourse. Why, that was the case for this Bill—that from the very necessity of things it was totally impossible that a State like England could separate itself fully, and disconnect itself entirely, from any other State in Europe; that if the law prevented formal intercourse, communication must take place through unacknowledged channels; and that a great country should do openly what it did at all. Then it was urged that the measure would be degrading to the Pope; that it would tend to put him under constraint; that what he did after these relations should be established would be done under duress, and be protested against, like the acts he did under the constraint imposed upon him by Napoleon. Why, not only the present Pope, but also the late, had frequently expressed a great desire that there should be diplomatic relations between this country and Rome: the late Pope never allowed an opportunity to pass which was offered by the visit of any distinguished Englishman at Rome, without expressing his wish that diplomatic relations should be established. Really some hon. Members would be "more Popish than the Pope." It was only the other day that the Italian States entered into a commercial league; if we were to have commercial relations with this league, we must have them with the members of it, and the Pope was one.

Mr. GORING believed it was important that the House should now proceed to the Spirits Bill and the Copper Duties Bill; he begged to move that the debate be adjourned.

Mr. BRIGHT said, the Opposition were pursuing a course which would make it impossible for any Government to carry on the business of the country; they would neither let the Government measures pass, nor take the reins of Government themselves. As for the present Bill, there might not be much good in it, but there could not be much harm. "The British lion" seemed to be frightened at a mere ghost.

Captain HARRIS said, if the Bill was strictly confined to carrying into effect the principle of allowing diplomatic intercourse with a temporal prince, he (Captain Harris) was not disposed to vote against it.

The House divided on the question that the debate be adjourned: — Ayes 32; Noes 103: Majority 71.

Question again put, that the Speaker do now leave the chair.

Captain VYSE moved that the House should adjourn.

Lord J. RUSSELL said, he perceived that the hon. Member for the University of Dublin had just left the House, at which he was not surprised; for, being a Gentleman of the highest respectability, he doubtless had too much regard for his own character to vote for the Motion now made.

Mr. FORBES protested against the inferential imputation conveyed by the noble Lord's language. The hon. Member for Manchester, too, had ventured to charge the Members on the opposition side of the House with having obstructed the course of the Government during the Session; but he (Mr. Forbes) appealed to the noble Lord himself whether any Opposition had ever acted towards a Government with greater forbearance. The country would not fail to contrast the conduct of the Opposition towards the Government, with that of a section of the House of which the Member for Manchester was one of the leaders, when Ministers demanded additional powers to enable them to preserve the public peace.

Mr. SPOONER assured the noble Lord and the House that he was not going to repeat what he had said upon the subject in the morning. All he wished to say was, that he thought the remarks of the noble Lord upon a Gentleman of the high character of the hon. and learned Member for the University of Dublin—

Lord J. RUSSELL: All he had said was, that although the hon. and learned Gentleman was strenuously opposed to the Bill, and would give it his opposition in every stage, still he would not lend himself to any plan of obstruction to the Bill by repeated Motions for adjournment; and he did not wonder that, acting upon that declaration and in accordance with his high character, when we saw that plan adopted, he had left the House.

Mr. SPOONER: That explanation then very certainly threw a slur upon all those Gentlemen who had joined in the late division. If that was to be the way in which the conscientious conduct of hon. Gentlemen was to be attacked in that House, they might be sure there would be no flinching on his side. If faction could fairly be attributed to any one, it was to the noble Lord and Her Majesty's Government. Did the noble Lord mean to pass the Bill with, or without, the concurrence of the House of Commons? Did he mean to say that one hundred Members supporting him was really and unequivocally an expression of opinion on the part of the House of Commons? He had never been in the habit of setting himself up against the opinion of the House; but he must repudiate the unjustifiable charge of the noble Lord, both for himself and those hon. Gentlemen who had joined with him in the late division. He felt bound to resent that charge, and he was not to be bullied out of the line of conduct which he had laid down for himself, namely, that of an hon. and independent Member of that House. He would still oppose the Bill in every way which the constitutional Parliamentary privileges would allow.

The House subsequently divided upon the question, that the House will now resolve itself into a Committee:—Ayes 111; Noes 34: Majority 77.

List of the Ayes.

Abdy, T. N.
Adair, H. E.
Adair, R. A. S.
Armstrong, Sir A.
Arundel and Surrey, Earl of
Bagshaw, J.
Baring, rt. hon. Sir F. T.
Barron, Sir H. W.
Bellew, R. M.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Bernal, R.
Birch, Sir T. B.
Bowring, Dr.
Boyle, hon. Col.
Bright, J.
Brotherton, J.
Brown, W.
Buller, C.
Bunbury, E. H.
Buxton, Sir E. N.
Callaghan, D.
Carew, W. H. P.
Childers, J. W.
Clay, J.
Clements, hon. C. S.
Cocks, T. S.
Cowper, hon. W. F.
Craig, W. G.
Denison, W. J.
Divett, E.
Dodd, G.
Drumlanrig, Visct.
Drummond, H.
Dundas, Adm.
Dunne, F. P.
Ebrington, Visct.
Elliot, hon. J. E.
Evans, Sir D. L.
Ferguson, Sir R. A.
Forster, M.
Greene, J.
Grey, rt. hon. Sir G.
Grey, R. W.
Grosvenor, Lord R.
Grosvenor, Earl
Hawes, B.
Hay, Lord J.
Hayter, W. G.
Herbert, H. A.
Hobhouse, rt. hon. Sir J.
Hobhouse, T. B.
Hodges, T. L.
Howard, P. H.
Jervis, Sir J.
Keogh, W.
Labouchere, rt. hon. H.
Lascelles, hon. W. S.
Lemon, Sir C.
Lewis, G. C.
Locke, J.
M'Gregor, J.
Mangles, R. D.
Martin, J.
Matheson, Col.
Maule, rt. hon. F.
Moffatt, G.
Monsell, W.
Moore, G. H.
Morpeth, Visct.
Muntz, G. F.
Norreys, Sir D. J.
O'Connell, M. J.
Ogle, S. C. H.
Paget, Lord C.
Palmerston, Visct.
Parker, J.
Pearson, C.
Pechell, Capt.
Perfect, R.
Pinney, W.
Power, Dr.
Reynolds, J.
Rich, H.
Romilly, Sir J.
Rumbold, C. E.
Russell, Lord J.
Sheil, rt. hon. R. L.
Shelburne, Earl of
Smith, J. A.
Somerville, rt. hon. Sir W.
Spearman, H. J.
Talfourd, Serj.
Tancred, H. W.
Tenison, E. K.
Thompson, Col.
Thornely, T.
Tollemache, hon. F. J.
Turner, E.
Vane, Lord H.
Verney, Sir H.
Wakley, T.
Ward, H. G.
Watkins, Col.
Wellesley, Lord C.
Willcox, B. M.
Williams, J.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wrightson, W. B.

TELLERS.
Tufnell, H.
Hill, Lord M.

List of the Noes.

Blackstone, W. S.
Bruen, C.
Burrell, Sir C. M.
Cabbell, B. B.
Chaplin, W. J.
Chichester, Lord J. L.
Coles, H. B.
Dick, Q.
Duncan, G.
Forbes, W.
Forester, hon. G. C. W.
Frewen, C. H.
Goring, C.
Grogan, E.
Hamilton, G. A.
Hildyard, T. B. T.
Hood, Sir A.
Inglis, Sir R. H.
Knox, Col.
Lacy, H. C.
Mandeville, Visct.
Masterman, J.
Napier, J.
Newdegate, C. N.
O'Connell, J.
Pigott, F.
Plowden, W. H. C.
Reid, Col.
Renton, J. C.
Robinson, G. R.
Spooner, R.
Tyrell, Sir J. T.

Vesy, R. H. R. H.	Wyld, J.
TELLERS.	
Anstey, T. C.	Urquhart, D.

House in Committee.

On the 1st Clause,

Mr. ANSTEY proposed in the 1st Clause the striking out of the words "notwithstanding anything to the contrary now in force, is to be," in line nine, and the insertion of the words "it is" in line ten. The effect of this Amendment would be, to leave the law as it at present is according to the authority of Lord Campbell. [The hon. and learned Member here quoted from *Hansard* of 1847, a part of Lord Campbell's speech.] It was no doubt in consequence of these opinions of Lord Campbell that this Bill had been introduced; and the Roman Catholics of this country learned to their consternation that their favourite Ministers of State had determined that the Pope should have less authority henceforward in England and Scotland than was granted to him by the Act of Toleration in 1791. It was therefore because he would rescue the religious freedom at once of the Roman Catholics and Protestants, that he proposed this Amendment.

Lord J. RUSSELL said, both Lord Campbell and Lord Cottenham had no doubts as to the law; but they said there might be doubts, though they had none; and whilst the matter was not entirely clear it would not be safe to act, and it was to remove those doubts that the words were introduced which the hon. and learned Member proposed to omit.

Amendment negatived.

Mr. C. PEARSON moved the addition of which he had given notice, to the effect, that the diplomatic intercourse with Rome should be "touching and concerning international, civil, commercial, and political relations." If it was really the intention of the Government to confine the powers of its representative to such diplomatic business as would be conducted with any other State, there could be no objection to his Amendment; but if the exposition of the hon. Member for Oxford was right, and it was intended to qualify the British representative to communicate with the See of Rome regarding our domestic affairs in Ireland, through the instrumentality of the Catholic priesthood, it would be necessary so to qualify the Bill. In either case an Amendment was necessary to remove doubts. The noble Lord would find it more expedient to limit the powers of the ambassador within distinct boundaries as to the spiritual and temporal jurisdiction of the Sovereign of the Roman States, than to leave them open to a misconstruction on his part. Obscure hints had been heard of an intention on the part of the Pope to portion out this country into bishoprics; and if this Bill was to be used for the purpose described by the hon. Baronet, of tranquillising Ireland by exercising an influence over the Roman Catholic clergy, he had serious apprehensions that this state of things would be hereafter made an excuse for adding another link to the chain which bound our Church and State together. He should take the sense of the Committee upon this proposal.

The SOLICITOR GENERAL hoped the House would not accede to the proposal of the hon. Gentleman, for if it produced any effect at all, it would be an injurious effect. It was proposed to establish diplomatic relations with the Court of Rome, in the same manner as with the Court of Russia, Prussia, or any other Court; but if these words were inserted in the Bill, in cases where there was the least ingredient of a spiritual character, it would be injurious. Questions of a mixed character might arise, though in the result they were of a temporal nature, and in such no interference could take place. Suppose the Pope introduced any regulation as to the Roman Catholics of Canada, this qualification would prevent any interference. At present the Pope might divide this country into bishoprics and archbishoprics; and if the Amendment were agreed to, he might do so still; but if we had free diplomatic relations with him, the British Government might interfere to prevent such a division.

Mr. ANSTEY thought, that the real object and tendency of the Bill had now been indicated. For "Canada" read "Ireland," and a good key to the Ministerial intentions was supplied. He could see no reason why the Government should refuse compliance with the proposal of the hon. Gentleman the Member for Lambeth. If the noble Lord at the head of the Government really meant to deal fairly with the House and the country, and not conceal anything, he would rise and express his willingness to agree to the Amendment of his hon. Friend. He would move that the Chairman report progress, in order that the subject might be more fully discussed.

Sir R. H. INGLIS wished to ask the

noble Lord (Viscount Palmerston) whether, if the Bill provided for diplomatic intercourse with the head of any other State than Rome, the Amendment now under consideration would be objected to? The Pope had two distinct characters, his temporal authority as a prince, and his spiritual authority as a Pontiff, and the Bill was intended to authorise the Government to enter into engagements with him in his double capacity. That was the reason why they opposed the Amendment of the hon. Member (Mr. Pearson). The real object of the Bill was clearly to enable the Government to ask the Pope to use certain influence with respect to his Catholic subjects in Ireland, which the Government did not feel themselves at liberty at present to do.

Viscount PALMERSTON begged, in reply, to ask a question of his hon. Friend who had often applied to him to make representations to the Government of Sardinia in favour of the Protestants of the Vaudois, and who had also urged him to use his influence with the Government of Switzerland on the subject of certain religions which interfered with some religious persons in the cantons of Switzerland. Now, would his hon. Friend call that an interference either in "political, commercial, civil, or international" affairs? Such questions would give rise to very disagreeable refinements, and it was not desirable to preclude the Government of this country from making similar representations, if it were thought desirable, to the Court of Rome.

Colonel THOMPSON wished to be informed what the effect of the exclusion of the words "Court of Rome" would be on the operation of the Bill, if the week after it passed, it was found that the Emperor of Austria had declared himself Sovereign of the Roman States, or the people of Rome had established a republic, one and indivisible, the Pope contenting himself with the title of Bishop of Rome?

Viscount PALMERSTON said, if the Pope ceased to be a sovereign, there was no law to prevent this country from entering into diplomatic or other relations with the Government which might succeed him. It was only so long as he was Pope that the present Bill applied.

Colonel THOMPSON did not want to know whether it would be lawful to communicate with the Emperor of Austria; but whether it would be lawful under this Bill to communicate with the Pope. Suppose the Pope were sent to Avignon, as had happened before, would it be lawful or not under this Bill to communicate with him there? If the Bill had any meaning, it was to settle this question; and it ought not to be evaded under an obscurity of terms.

The Committee divided on the question that the words be added:—Ayes 30; Noes 93: Majority 63.

List of the Ayes.

Anstey, T. C.
Blackstone, W. S.
Bruen, Col.
Burrell, Sir C. M.
Buxton, Sir E. N.
Chichester, Lord J. L.
Forbes, W.
Forester, hon. G. C. W.
Frewen, C. H.
Grogan, E.
Hamilton, J. H.
Harris, hon. Capt.
Hildyard, T. B. T.
Hood, Sir A.
Inglis, Sir R. H.
Knox, Col.
Mandeville, Visct.
Maxwell, hon. J. P.
Napier, J.
Newdegate, C. N.
O'Connell, J.
Pigott, F.
Plowden, W. H. C.
Reid, Col.
Renton, J. C.
Robinson, G. R.
Talfourd, Serj.
Thompson, G.
Urquhart, D.
Vyse, R. H. R. H.

TELLERS.
Pearson, C.
Spooner, R.

Mr. J. O'CONNELL moved, that at the end of the clause, after the words "Sovereign of the Roman States," the words "and Sovereign Pontiff" be added.

The Committee again divided:—Ayes 8; Noes 104: Majority 96.

List of the Ayes.

Fagan, J.
Greene, J.
Moore, G. H.
O'Connell, M. J.
Power, Dr.
Reynolds, J.
Thompson, Col.
Urquhart, D.

TELLERS.
O'Connell, J.
Anstey, T. C.

Clause, as amended, to stand part of the Bill. House resumed. Committee to sit again.

House adjourned at Two o'clock.

HOUSE OF LORDS,

Friday, August 25, 1848.

Minutes.] Public Bills.—1^a Fever (Ireland); Local Acts; Nuisances and Contagious Diseases; Transfer of Landed Property (Ireland).

Reported.—Wolverhampton Curacy (No. 2); Petty Bag, &c. Office (Court of Chancery); Poor Removal (No. 2).

3^o and passed:—Parochial Debt and Audit; Farmers' Estate Society (Ireland); Fisheries (Ireland).

Petitions Presented. From the Inhabitants of Heywood, for the Adoption of a System of Secular Education in the County of Lancaster.—From the Parishes of St. Andrew, Holborn, and St. Matthew, Bethnal Green, for the Prevention of Sunday Trading.

CASE OF COLONEL BRISTOWE.

Lord BEAUMONT, in compliance with a notice, rose to present a petition from Colonel Bristowe, with regard to his imprisonment in, and expulsion from, Spain. This gentleman was an officer in Her Majesty's Army, and he complained that in his person the liberty of a British subject had been violated, and the courtesy of international customs disregarded. Colonel Bristowe had for a few years resided in a private character at Madrid, and during that time he had entered into no political connexions whatever, and had not even frequented any place where political subjects were discussed. On the 24th of May last, without any notice, his apartment was entered by twenty men, agents of the Spanish police. His person was seized, his papers were taken, and he was carried through the streets to the office of the chief of the police. On arriving there the chief refused to make any statement to Colonel Bristowe with regard to the motives which had led to his arrest. He was lodged in prison with fifty or sixty other persons confined for various offences. The following day some of his papers were returned, and the others kept, being letters to ordinary acquaintances, and to near relations on domestic affairs. He was then placed in a kind of carriage, along with two agents of the police, who conveyed him to Bilboa, and there he was put into the mail and sent to the frontier. Colonel Bristowe had endeavoured at various times to obtain information respecting the cause of this treatment, but he could get no answer. Having heard before of these pranks on the part of the Spanish Government, this proceeding had not surprised him; this was not the only instance, nor one of the greatest instances of its violation of the usual customs and courtesies of nations. There was, however, this difference between the present and another instance, that here nothing like an excuse or a reason had been set up. The case of Colonel Bristowe not being a single isolated case, great alarm was felt from the possibility that not only the liberty of other British subjects might be endangered, but that our merchants might incur risk, and that the interests of British commerce might suffer. Persons engaged in trade resided in foreign countries upon the faith that they would enjoy their personal liberty; and, as there was no war between the two countries, British subjects in Spain had a right to expect that their persons and dealings would be respected there. Although diplomatic relations had ceased between the two countries, there were means and opportunities, if diplomatic relations should not be renewed, for enforcing the rights of British subjects to redress. Commercial grievances would require prompt attention; and he warned the Government of Spain not to urge forbearance too far, since it might have an end. Upon these public grounds it was that he had proposed to draw their Lordships' attention to this case; and he hoped that measures would be taken by Her Majesty's Government in order that, if it were not likely that diplomatic relations with Spain should return to their former state, the interests and the liberties of Englishmen in Spain should not be left unprotected. The petitioner prayed that some steps might be taken to indemnify him for the injury he had suffered, and the losses to which he had been exposed.

The MARQUESS of LANSDOWNE concurred in the view taken by his noble Friend of the ill usage to which Colonel Bristowe had been most improperly and unjustifiably exposed, and respecting which, he was sorry to say, no explanation had been received. At the same time, he could assure his noble Friend and the House that there had been no remissness whatever on the part of his noble Friend the Secretary of State for Foreign Affairs. As soon as his noble Friend was made acquainted with the occurrence, he addressed a remonstrance to M. Isturitz upon the subject, who expressed his concern at it, and said he would obtain information, and forward an explanation to his noble Friend. But neither before the departure of M. Isturitz, nor since his departure, had any such explanation been afforded. Mr. Otway, who still remained in Spain, had addressed a remonstrance upon the subject to the Spanish Government, with the same result which had attended Colonel Bristowe's applications. Unless some explanation should be afforded hereafter, such a proceeding was not consistent with the customs and courtesies of civilised countries; and, under any other Government than the present, he should have thought that the Spanish nation would be the last that would be guilty of such an act. He was quite certain that his noble Friend at the head of the Foreign Department had done his duty in the matter; but if his representations were unattended to, it was not his fault.

LORD BEAUMONT was obliged to the noble Marquess for the observations he had made. He would merely add that, in matters of trade, our consular agents in

Spain were authorised to communicate with the Spanish Government.

House adjourned.

Protest against the Third Reading of the Irish Fisheries Bill.

1. Because a Bill of this nature, dealing with various and conflicting rights, ought not to have been forced forward for the adoption of Parliament in the absence of nearly every Peer connected with Ireland, and at a period when it is impossible to give the subject due consideration.

2. Because the Bill is founded on a principle not only unprecedented, but indefensible; oppressive and discretionary powers of taxation being vested, not in the owners of property, but in conservators, chosen by persons who may for the most part possess no property whatsoever, and whose only qualification is the payment of a license duty for the use of a fishing rod or net.

3. Because a system of annual election by a constituency not required to possess a property qualification cannot fail to lead to confusion, mismanagement, and strife, when applied to the government of a district which, like that of the Shannon, may extend for several hundred miles.

4. Because the imposition of an annual license duty, leviable from the poorer class of fishermen, and exceeding the total value of the cats and nets employed by them, is grievous and oppressive; calculated to deprive many honest and industrious persons of their means of livelihood at a time of unexampled distress, and which cannot fail to produce just discontent, leading to acts of violence and resistance to the law.

5. Because the imposition of an invariable tax on all Scotch weirs, without any reference to their relative value, is unjust and unequal, and will in many instances act as a prohibition against a mode of fishery, which in Ireland as well as in Great Britain has been found profitable and productive, and is a violation of all the rights of property.

6. Because the power of levying a tax of 10 per cent on the rated value of any description of fishery is iniquitous and unjust, and is the less defensible at a period when Parliament has withheld its assent from an additional property tax of 2 per cent, though stated by responsible Ministers to be required by the exigencies of the State.

7. Because the appointment by Act of Parliament of the Inspectors of Fisheries to hold the additional office of Commissioners, is inconsistent with all sound principles of administration, the same individuals being called on to discharge conflicting duties, to issue orders as Commissioners, to execute those orders as inspectors, and finally, to decide and to report on the manner in which they have themselves executed their ministerial duties.

8. Because it is not shown, or even suggested, that this extraordinary Bill has been sanctioned or recommended by the Commissioners of Irish Fisheries, the official functionaries appointed under a recent statute to report annually to the Legislature and to Parliament on this subject.

9. Because on these grounds the Bill is unwise and unjust, oppressive to the poor, partial in its bearing on the more wealthy, destructive to industry, and inconsistent with the rights of property, and is therefore likely to create just feelings of discontent in Ireland, when that country is made the subject and the victim of a legislative experiment which could never have been proposed, much less carried, in relation to the analogous interests of Great Britain.

MONTEAGLE OF BRANDON.

HOUSE OF COMMONS,

Friday, August 25, 1848.

MINUTES.] PUBLIC BILLS.—1° Post Horse Licences, &c.; Postage on Newspapers (Channel Islands, &c.); Lock-up Houses; Drainage Certificates; Savings' Banks.
2° Royal Military Asylum.
Reported.—Slave Trade (Equator); Renewable Leasehold Conversion (Ireland).
3° and passed:—Transfer of Landed Property (Ireland); Local Acts; Fever (Ireland); Dublin Police.

PETITIONS PRESENTED. By Mr. Hume, from several Proprietors of India Stock, for Inquiry into the Case of the Rajah of Sattara.—By Mr. Wyld, from Miners, and Others, at Camborne, against the Copper and Lead Duties Bill.—By Mr. Anderson, from the Commissioners of Supply of the County of Orkney, for Inquiry into the Working of the Excise Laws.—By Mr. Henry, from Members of the Board of Guardians of the Bury Union, Lancashire, for Rating Owners, in lieu of Occupiers, of Tenements.—By several Persons, in London and its Vicinity, for Ameliorating the Condition of the Chartist Prisoners.—By Mr. Maxwell, from the Protestant Inhabitants of the Parish of Granard, in the County of Longford, for Encouragement to Schools in Connexion with the Church Education Society (Ireland).—By Mr. Wakley, from Edward Nye, 36, Cavendish Street, New North Road, London, praying the House to take his Case into Consideration.—By Captain Pechell, from Matthew Phillips, Geographical Engineer, for an Inquiry into the Prospects of the Poor in the coming Winter.

DIPLOMATIC RELATIONS WITH THE COURT OF ROME BILL.

On the question that the House resolve itself into Committee,

MR. SPOONER said, he should oppose the Motion, for he objected to the passing of any such measure, especially at a period of the Session when so many Members were out of town that not above one hundred remained. He objected to the Bill also as a direct and injurious interference with the Bill of Rights and with the Act of Settlement; and he further objected to it because it was a matter within his own knowledge that amongst the most enlightened portion of the people of this country, an opinion was gaining ground that there was some mystery behind this Bill, and he was bound to assure the House that it was a measure looked upon with great suspicion. It was apprehended that secret negotiations were to be carried on with the Pope, for the purpose of inducing that personage to consent to those clauses which at present were opposed by every Roman Catholic Member of that House. It was also apprehended that an intention was entertained of forming an alliance between this country and the Pope, for his better security, both as a secular and an ecclesiastical prince; and to such an alliance he should be strongly opposed, the more especially if it had any tendency to entangle us in an European war. To any result of that kind he felt strongly persuaded that the people of England were strenuously opposed. He objected also strongly to this Bill as being a further abandonment of Protestant principle. He was well aware that what he was about to say would subject him to the charge of bigotry, and bring down upon him the animadversions of many within or without those walls; but that should not deter him from doing what he conceived to be an imperative duty. He felt himself obliged to declare that he believed the blessing of the Almighty had been most mercifully vouchsafed to this nation so long as she adhered to the true Christian faith, and steadily opposed what he believed to be the delusions of Rome. For many years past we had been by degrees departing from those pure principles, and giving our countenance to Popish errors. He attributed much of our present distress and perplexity to this fatal conduct. He wished now, once for all, to protest against Parliament being thus coerced by a tyrant majority to accept a Bill which he did not hesitate to describe as forming a further and most dangerous step in dereliction of the Protestant religion. Entertaining, then, these strong opinions with reference to the present Bill, and with respect also to the time at which it was brought forward, he claimed a full right to use those forms which would enable him to delay the passing of the measure; and he conceived that if he did so use them, such a proceeding could not be considered factious.

Lord J. RUSSELL replied, that though it might be consistent with the forms of the House to take the course which the hon. Member intimated his intention of pursuing, yet certainly such a mode of meeting the present question would not be consistent with the ancient usage of Parliament. It was by no means the practice of that House to have one, two, or three discussions upon the principle of a Bill after that Bill had been read a second time. Generally speaking, the rules and forms of that House had a tendency to promote freedom of debate, and to prevent also the extreme use of Ministerial majorities. If, however, those forms came to be abused, the House must of necessity reconsider them, and would probably substitute new rules and forms of proceeding in lieu of those which were at present in force, and this change might possibly be effected without seriously injuring any constitutional right whatever. As to what the hon. Gentleman had said with regard to the Members now out of town, he should only observe that when, upon former occasions, divisions took place respecting this Bill, the numbers were three to one in its favour; and if the House were now full, he had no doubt that the numbers on either side would continue to be in that proportion. He conceived that the Members now present did fairly represent the opinion of the House, and he must add that if every Bill were to be thus treated, no progress in public business could be made. If towards the close of every Session they were to be told that any Bill which had taken a long time must be abandoned, and that if Ministers refused to give up the measures they had introduced, that then the forms of the House were to be employed against them—if such were to be the practice of Parliament, he did not see how legislation could be proceeded with. There was nothing extraordinary in a proposition to establish diplomatic relations with the only Sovereign in Europe between whom and this country no such relations at present subsisted. If he were now to waste the time of the House in explaining the two or three mysteries which were supposed to lurk behind this measure, he doubted not that before to-morrow two or three other mysteries would spring up equally entitled to explanation.

Mr. NEWDEGATE said, that the noble Lord was mistaken if he supposed that the small amount of the opponents to the measure now in the House represented only a small number of opponents out of doors; and vindicated his friends about him from any imputations of factiousness.

On the proposition of the 2nd Clause (not lawful for the Queen to receive as Ambassador, &c., from the Court of Rome any person in holy orders),

Mr. ANSTEY moved the omission of the word "not," contending that the enactment of such a disqualifying clause as the one proposed would render the Bill inoperative.

The Earl of ARUNDEL and SURREY said, that the hon. Baronet the Member for North Essex, having yesterday charged him with being in the habit of reading a disgusting book, he desired to explain, in order to prevent all misconception out of doors, that the book alluded to, called the *Garden of the Soul*, was a book of religious exercise, intended to aid individuals in the private examination of the conscience; and, he might observe, in reference to most books, even the Holy Scriptures, that if isolated passages were taken without regard to their context or purpose, specious but unwarrantable objections might be urged against them. With respect to the clause under consideration, he thought they must have diplomatic relations with the Court of Rome fully and entirely, or not at all.

Viscount PALMERSTON thought the hon. and learned Member for Youghal was almost bound to vote against his own Amendment. The hon. and learned Member had opposed the Bill, apprehending great danger from it; and now he said, that if the present clause were retained in its existing shape, it would entirely defeat the operation of the Bill. The hon. and learned Member would, therefore, accomplish all he had sought to effect in opposing the Bill, if he allowed the clause to stand unaltered. He was opposed to the removal of the disqualification inserted in the Bill in another place, because he thought its retention only a proper deference to the feelings of a large class of the population. It must be recollected, too, that the Government of Rome was now constitutional and secularised. He believed an ecclesiastic had now been appointed to the office of Foreign Affairs, who was, however, the only ecclesiastic in the Administration. The Government of Rome was now lay, responsible, and constitutional; and the probability was, that the lay advisers of the Pope would be desirous that some opportunity should be afforded of employing in diplomatic relations the nobles of the Roman States. This clause would only make that the law of this country which was now the practice of other non-Catholic Governments—Russia and Prussia for instance. Both those countries had diplomatic relations with the Court of Rome; but they refused to receive an ecclesiastic as the representative of Rome; and the consequence was, that while there had been Prussian and Russian Ministers at Rome, there had not been a Roman representative either at Berlin or St. Petersburgh. Supposing, then, that in the case of this country a similar result should follow the maintenance of this clause, our diplomatic relations with the Roman States would not be put upon a singular footing. He considered, therefore, that it would be inexpedient to disturb the clause.

Sir J. TYRELL said, with reference to the statement he had made on a former occasion, and which had been alluded to by the noble Lord (Lord Arundel), he begged to say that, although he made that statement under some warmth of feeling, he would not withdraw an iota of it. The noble Lord had acknowledged that he was in the habit of reading a Roman Catholic book, which, from a regard to decency, he (Sir J. Tyrell) had said he would not further refer to unless he were challenged to do so. If it was the wish of the House, he was quite ready to read some passages from the work in question. ["No, no!"]

Lord J. RUSSELL observed, that the hon. Baronet had, on a former occasion, referred to a book which he said contained very objectionable passages, and which he stated, if he was challenged to do so, he was ready to read to the House. The noble Lord (Lord Arundel) had not challenged the hon. Baronet to read those passages; and he thought, therefore, that the hon. Baronet was quite right in not having read them. This was not at all a question of politics; it was not a question with regard to diplomatic intercourse. It was in fact a question relating to the religious faith of churches to which various Members of that House belonged. Every one knew that certain objections were made by all Protestants to the Roman Catholic religion, and certain answers were given by Roman Catholics to those objections; but, whether those objections were good and sufficient objections, and whether the answers were good and sufficient answers, were questions of religious feeling, which he thought it most unfitting that that House should be called upon to decide. He (Lord J. Russell) would especially regret that any question of religious faith should be introduced in a manner which might be offensive to the feelings of any hon. Member of that House; and he therefore hoped, that not only the hon. Baronet, but every other hon. Member, would refrain from discussions which were irrelevant, and which might be offensive to many Gentlemen.

Mr. HENRY DRUMMOND said, they had had some little proof of the incompetency of those who attacked the Roman Catholic religion to form a very accurate judgment on the subject; for the most common and ordinary book of Roman Catholic practice was so new to these persons that it absolutely scared them from their propriety. As these objectors appeared to know nothing of the difference between *opiniones doctrinæ et disciplinæ*, he did not wonder that they had shown themselves incapable of doing anything beyond expressing a rancorous and blind hostility on a subject they did not understand. When these hon. Gentlemen claimed credit to themselves for being the representatives of all the Protestant feeling of the country, they appeared to have left out of the question most unceremoniously two Gentlemen of their own party whose reputation stood as high as that of any Member of that House—the hon. Member for Midhurst (Mr. Walpole), and the right hon. Member for Stamford (Mr. Herries), who had expressed their approbation of this Bill, and their intention to support it. He (Mr. Drummond) regarded this clause as an insult to the Roman Catholics and the Court of Rome; and, as he believed it would tend to embarrass the working of the measure, he would oppose it. The hon. Gentlemen near him must be in utter ignorance of Romish tricks, if they thought an Act of Parliament could prevent the Pope from being represented in this country by an ecclesiastic. Surely these simple Gentlemen—these canny Scots—did not think they were a match for Jesuits? The fact was, that this clause had been introduced into the Bill as a sop to bigotry.

Colonel THOMPSON believed that the clause contained much that was frivolous, unreasonable, and impolitic; but on reading the words in print on the back of the Bill, he would recommend those interested in its passing, to consider the propriety of accepting it as it stood.

After a short discussion, chiefly on the Catholic religion, the Amendment was negatived.

The Committee divided on the question that the clause stand part of the Bill:—Ayes 79; Noes 22: Majority 57.

List of the Ayes.

Adair, H. E.
Berkeley, hon. Capt.
Birch, Sir T. B.
Boyle, hon. Col.
Broadley, H.
Brockman, E. D.
Brotherton, J.
Bruen, Col.
Buller, C.
Chichester, Lord J. L.
Clay, J.
Cowper, hon. W. F.
Craig, W. G.
Dick, Q.
Dodd, G.
Dundas, Adm.
Ebrington, Visct.
Estcourt, J. B. B.
Evans, Sir D. L.
FitzGerald, W. R. S.
Forester, hon. G. C. W.
Frewen, C. H.
Goring, C.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grogan, E.
Grosvenor, Earl
Hamilton, G. A.
Hawes, B.
Hay, Lord J.
Hayter, W. G.
Henley, J. W.
Hobhouse, rt. hon. Sir J.
Hodges, T. L.
Hood, Sir A.
Houldsworth, T.
Jones, Capt.
Knox, Col.
Labouchere, rt. hon. H.
Lascelles, hon. W. S.
Lennard, T. B.
Lewis, G. C.
M'Gregor, J.
Mandeville, Visct.
Masterman, J.
Maule, rt. hon. F.
Maxwell, hon. J. P.
Napier, J.
Newdegate, C. N.
Ogle, S. C. H.
Packe, C. W.
Palmerston, Visct.
Parker, J.
Pearson, C.
Pigott, F.
Pinney, W.
Reid, Col.
Rich, H.
Robinson, G. R.
Romilly, Sir J.
Russell, Lord J.
Sandars, J.
Scrope, G. P.
Sheil, rt. hon. R. L.
Somerville, rt. hon. Sir W.
Spooner, R.
Talfourd, Serj.
Tancred, H. W.
Thompson, Col.
Thompson, G.
Turner, E.
Tyrell, Sir J. T.
Vyse, R. H. R. H.
Ward, H. G.
Watkins, Col.
Wellesley, Lord C.
Williams, J.
Willoughby, Sir H.
Wilson, M.

TELLERS.

Bellew, R. M.
Hill, Lord M.

List of the Noes.

Anstey, T. C.
Barron, Sir H. W.
Brown, W.
Clements, hon. C. S.
Drumlanrig, Visct.
Drummond, H.
Duncan, G.
Fagan, J.
Fox, W. J.
Greene, J.
Keogh, W.
Mackinnon, W. A.
Moore, G. H.
O'Connell, J.
O'Connell, M. J.
Power, Dr.
Reynolds, J.
Thornely, T.
Tollemache, hon. F. J.
Urquhart, D.
Vane, Lord H.
Villiers, hon. C.

TELLERS.

Arundel and Surrey, Earl of
Howard, P. H.

On Clause 3,

Mr. PEARSON moved that after the words "That nothing herein contained," the following words be inserted, "shall authorise any intercourse or communion with the See or Church of Rome upon ecclesiastical and spiritual matters now forbidden by law."

The Committee divided on the question that the words be inserted:—Ayes 30; Noes 65: Majority 35.

List of the Ayes.

Anstey, T. C.
Bruen, Col.
Chichester, Lord J. L.
Clements, hon. C. S.
Duncan, G.
Dunne, F. P.
Fagan, J.
FitzGerald, W. R. S.
Forbes, W.
Forester, hon. G. C. W.
Frewen, C. H.
Goring, C.
Grogan, E.
Hamilton, G. A.
Hood, Sir A.
Knox, Col.
Mandeville, Visct.
Napier, J.
O'Connell, J.
Pigott, F.
Robinson, G. R.
Spooner, R.
Talfourd, Serj.
Thompson, G.
Turner, E.
Tyrell, Sir J. T.
Urquhart, D.
Vyse, R. H. R. H.
Williams, J.
Willoughby, Sir H.

TELLERS.

Pearson, C.
Newdegate, C. N.

List of the Noes.

Adair, H. E.
Arundel and Surrey, Earl of
Barron, Sir H. W.
Berkeley, hon. Capt.
Birch, Sir T. B.
Boyle, hon. Col.
Brockman, E. D.
Brotherton, J.
Brown, W.
Buller, C.
Clay, J.
Cowper, hon. W. F.
Dick, Q.
Dodd, G.
Drummond, H.
Dundas, Adm.
Ebrington, Visct.
Estcourt, J. B. B.
Ferguson, Sir R. A.
Fox, W. J.
Greene, J.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grosvenor, Earl
Hawes, B.
Hay, Lord J.
Hayter, W. G.
Henley, J. W.
Hobhouse, rt. hon. Sir J.
Hobhouse, T. B.
Hodges, T. L.
Jones, Capt.
Keogh, W.
Lascelles, hon. W. S.
Lewis, G. C.
Mackinnon, W. A.
M'Gregor, J.
Maule, rt. hon. F.
Maxwell, hon. J. P.
Moore, G. H.
O'Connell, M. J.
Ogle, S. C. H.
Palmerston, Visct.
Parker, J.
Pinney, W.
Power, Dr.
Reynolds, J.
Rich, H.
Romilly, Sir J.
Russell, Lord J.
Sandars, J.
Scrope, G. P.
Sheil, rt. hon. R. L.
Somerville, rt. hon. Sir W.
Tancred, H. W.
Tenison, E. K.
Thompson, Col.
Thornely, T.
Tollemache, hon. F. J.
Vane, Lord H.
Villiers, hon. C.
Ward, H. G.
Watkins, Col.
Wellesley, Lord C.
Wilson, M.

TELLERS.
Bellew, R. M.
Hill, Lord M.

The Committee again divided on the question that the clause stand part of the Bill:—Ayes 77; Noes 4: Majority 73.

List of the Noes.

Greene, J.
O'Connell, J.
Power, Dr.
Reynolds, J.

TELLERS.
Anstey, T. C.
Urquhart, D.

House resumed.

Report to be received.

THE CHARTIST PRISONERS.

Mr. WAKLEY presented a petition complaining of the treatment to which the Chartist prisoners lately convicted as misdemeanants at the Old Bailey were subjected at the house of correction, and said he had presented upon a former occasion a petition of the same kind. The petitioners stated their belief that the Secretary for the Home Department had issued special orders for the coercive treatment of the prisoners in the house of correction, and they thought it quite useless to petition the Home Office on the subject, and consequently now appealed to that House. He (Mr. Wakley) believed that the statement was altogether unfounded; and in his opinion nothing could be more unreasonable or unjust than to entertain such a belief with regard to the conduct of the right hon. Gentleman. Whatever his politics might be, yet with reference to these offenders, he believed that the right hon. Gentleman was utterly incapable of doing that which he was said to have done; and seeing the hon. Member for Maidstone in his place, who was one of the visiting magistrates of the prison, he begged leave to inquire whether there was any truth in the allegations of the petition that special instructions had been issued from the Home Office for the treatment of these prisoners with undue or unreasonable severity; whether instructions had been issued from the Home Office for treating them as felons; whether, in fact, the statements in the petition were generally correct; and also to state what was the actual condition of the prisoners, and whether at the present moment they were making any complaints to the visiting justices as to the treatment they received?

Sir G. GREY said, before he answered the question of the hon. Gentleman, he might be allowed to advert to that part of the petition which had reference to himself. He should, however, state, that although the petition was written in the plural number, it was signed by one individual only, as the chairman of a meeting, without any reference to any meeting in that petition. [Mr. Wakley said it was agreed to at a public meeting.] With respect, however, to himself, as having sent special instructions for the treatment of these prisoners, he begged to give his most unqualified contradiction to that statement. He had no power to give any such special instructions, and the magistrates would not be performing their duty if they observed them. The prisoners were classed by the magistrates, subject to the approval of the Secretary of State, under Act of Parliament, and he had no authority to alter those regulations. As to another statement in the petition, that it was useless to address the Home Office, he could state that that was not the fact; for two of the prisoners had addressed him, and he had referred it to the justices, with an intimation that every statement that was made by the prisoners should have every reasonable consideration.

Mr. G. DODD could fully corroborate the statement of the right hon. Baronet the Secretary of State for the Home Department, that he had not interfered in any way with the regulations of the house of correction. The memorials sent to the Home Office by two of the Chartist prisoners were referred to the visiting magistrates by the right hon. Baronet, who had stated to him that he hoped no unnecessary restrictions would be imposed. The sentences on the prisoners implied that they were to be subjected to certain rules framed for all houses of correction when Lord Normanby was in office, and had not since been departed from. The question put by the hon. Member for Finsbury showed that considerable misrepresentation had gone abroad with respect to the five Chartist prisoners now undergoing sentence of imprisonment. As a visiting magistrate, he had seen these persons each week, and they all expressed themselves grateful to the magistrates, and more particularly to the governor, Lieutenant Tracy, for the lenient manner in which the regulations had been carried out. It was said that the prisoners' hair had been cut close immediately on their entering the prison. This was not the case. Ernest Jones's hair was cut about a week after his entrance at his own request, and by the advice of the surgeon, owing to the weakness of his eyes. The others were cropped about the same time, except Vernon's, whose hair was not cut for a fortnight, and then not after the Dover crop, but trimmed in the same manner as any Gentleman in the House would have had his done. The prisoners all stated they had no complaint to make with respect to their food. The dietary of the house was a loaf of white bread weighing nearly a pound and a half, with a pint of cocoa, for breakfast, and a similar loaf and a pint of gruel at supper. Four days in the week they had for dinner six ounces of meat and eight ounces of potatoes, making on these days thirty-one ounces of solid food; on the other three days, a pint and a half of good soup in lieu of meat. Fussell and Sharpe both said, that if every working man lived nearly as well, there would not be discontent in the country. They were permitted to have books sent them (subject to the approval of the chaplain), and when he called that morning Vernon was reading a scientific book, and Jones working a mathematical problem. In fact, every indulgence had been given. Vernon stated to the governor that he was accustomed to take baths, and the governor immediately ordered he should have them two or three times a week. The sentence on these prisoners made it requisite that they should be put in prison dress, and everything furnished to them was new. The dress they wore was that of misdemeanants, blue, different from that of felons, which was of gray cloth with a number on the shoulder. He hoped he had given such explanation respecting their treatment as would satisfy the House; and if the hon. Member for Finsbury wished for more information he should be happy to give it.

THE CONVICT MITCHEL.

Mr. **ROBINSON** wished to put to the Government some questions with respect to the treatment of the convict Mitchel. He was induced to do so because it had been communicated to him that Mitchel was not treated as a convict, but, to use the expression of his informant, who was a resident in Bermuda, rather as a State prisoner. He was also informed through other sources that the convict was allowed the use of two rooms, with a servant to wait upon him—that he was not subjected to any kind of labour—that he wore no distinctive dress—and that his position was better than that of many officers in Her Majesty's service in that island. Before however, he put the question he would say, he had no wish to press harshly upon that unhappy individual—far from it; but his object was to ascertain, what was so important to the public, whether the law of this country was fairly, justly, and impartially administered. The first question he would put was to the gallant Admiral opposite with reference to the treatment of Mitchel on board the *Scourge*. It was stated that he messed with the officers on going to Bermuda; but he (Mr. Robinson) was unwilling to believe it. He could not think it possible; but it was publicly stated, and believed at Bermuda, and it was important it should be contradicted for the honour of the naval service and the character of the gallant Admiral. The question he wished to put to the right hon. Gentleman the Home Secretary was, whether any orders had been given with respect to the treatment of Mitchel at Bermuda, and whether any communication had been made to the Secretary of State by the authorities at Bermuda as to the manner in which that individual had been treated?

Sir G. **GREY** believed he could answer both the questions of the hon. Gentleman as far as any information was in the power of the Government. With respect to the first, he could say that no such information had reached the Government; and he was certain, from information he did possess, and from the nature of the instructions addressed to the captain of the ship in which Mitchel was removed, that it was not correct. The hon. Gentleman would remark that Mitchel was not sent to Bermuda in an ordinary convict ship, but in a man-of-war. Special instructions were given to the captain from the Admiralty, directing him to take every precaution for the security of the prisoner, at the same time, while the vessel was at sea, as the prisoner was stated by the surgeon of the gaol to be in delicate health, to select a cabin for his confinement, placing a sentry at the door where his meals were to be taken. He must, therefore, utterly disbelieve the statement to which the hon. Gentleman referred. A letter was also written by the Secretary of State to the Governor of Bermuda, calling his attention to the case of the prisoner, and to the report of the surgeon at Spike Island as to the health of the prisoner, and the kind of labour for which he was unfit. The Government had received no information corroborative of the hon. Gentleman's statement as to the treatment of Mitchel at Bermuda. The only information they did possess was contained in a despatch dated the 4th of July, in which the Governor said, that the medical superintendent stated it as his opinion that Mitchel was suffering from a chronic affection of the lungs, and that he had caused him to be received on board the *Tenedos* hospital ship. Since that information was received he had been removed from the *Tenedos* to another convict hulk; but he (Sir G. Grey) presumed that the state of the convict's health had been such as to prevent his being put to any kind of hard labour, as convicts usually were.

EMPLOYMENT OF THE POOR (IRELAND).

On the question that the Speaker leave the chair for the House to go into a Committee of Ways and Means,

Mr. P. SCROPE rose to move—

> "That no future appropriation of moneys taken from general taxation be made in aid of the Poor Rate of Irish Unions except on condition—1. That it be expended in the productive employment of the able-bodied poor. 2. That repayment be secured by a lien on the property improved by the works, as well as on the rateable property of the Union."

He complained that the Poor Law Commissioners employed the poor in stonebreaking, which was an unproductive occupation, and refused the request which had been made to them by several boards of guardians, that the ablebodied paupers might be employed in productive labour on the land. There was no difficulty in finding employment for productive labour in Ireland; and experience had shown, according to the statement of Dr. Harrison, that the ablebodied poor might be most successfully engaged in reclaiming waste land. What could be more demoralising than feeding men in a state of perfect idleness? If any public money was to be contributed out of the hard earnings of the people of this country in aid of the poor-rates of some of the Irish unions, he contended that it ought to be spent in such a manner as would be productive of some profit, so as to afford some chance of the money being repaid. It would be unjust to the English public if some condition of this kind did not attach to the loan of English money.

Sir W. SOMERVILLE thought the hon. Gentleman had very unfairly thrown blame on the Poor Law Commissioners for not doing that which the law did not empower them to do. He complained that the ablebodied paupers were not provided for by the Poor Law Commissioners, and kept in employment. Now, it was enough to say that the law absolutely prohibited the Commissioners from giving relief in the way the hon. Gentleman proposed. The law might be right or wrong; but, unquestionably, it prohibited the ablebodied being relieved except in the workhouse. He entirely differed from the hon. Gentleman in the view he took of the question. He did not think that the employment of pauper labourers on what the hon. Gentleman called "reproductive works" would be attended with success; he did not think they would be reproductive works at all. The hon. Gentleman did not say what those reproductive works ought to be. He merely quoted from Alison's pamphlet on that part of the question. Now, the essence of Dr. Alison's plan was, that forcible possession should be taken of waste lands; but it was impossible the Poor Law Commissioners could do this, as no such compulsory powers were given them. He believed that if such a plan as that proposed by the hon. Gentleman was carried out, they would turn the whole country into one mass of pauperism; and he therefore, hoped that the propositions submitted by the hon. Member would not receive the sanction of the House.

Lord G. BENTINCK said, the report

of the Commissioners of Public Works in Ireland contained a complete refutation of the crotchets put forward by the hon. Member for Stroud, and showed that it was impossible to carry out the reclamation of waste lands in the manner he proposed. The report, however, gave, on the other hand, much encouragement to the House to grant loans to Irish proprietors for the improvement of their estates. The Commissioners showed that great advantages had followed the drainage and other works, and that they anticipated no difficulty in a gradual repayment of the expenditure in half-yearly instalments.

MR. HUME thought the portions of the report to which the noble Lord had referred were in favour of the propositions of the hon. Member for Stroud. He concurred in the principles laid down by the hon. Gentleman, and he thought the House was obliged to him for calling their attention to the way in which future payments for works in Ireland ought to be made. He was clearly in favour of a system by which ablebodied paupers should be relieved by means of labour, provided that labour was of a productive character; and he did not see, therefore, why the proposal of the hon. Gentleman should not be agreed to by the House.

LORD J. RUSSELL: I think I can agree generally with the principles laid down on this subject by the hon. Member for Montrose; but I do not go along with him in thinking that the view which he has so far commended is at one with the object which my hon. Friend the Member for Stroud has proposed. It may be very useful to advance money from the State on particular occasions, with the view of getting work executed for the improvement of estates; and that is what the noble Lord (Lord G. Bentinck) referred to as having been done under the Land Improvement Act. In a case of that kind a loan is advanced to the proprietor, and the Board of Works sees that the particular work is executed; but the work is executed by the ordinary means of giving due wages to those who are employed, viz., the ablebodied labourers, who, in return for those wages, perform the work given them to do. In that way property may be much improved; a fair return may be obtained for the money expended; employment is given; and the whole result of such money being advanced is very beneficial to all parties. There is another mode in which the State may be called on to assist, and that is the mode in which relief is afforded in this country in a time of great distress and destitution. In those periods when there are a great many destitute poor, those destitute poor are allowed a certain amount of relief; and in order to obtain proof that those persons are really destitute, and that they would not come for relief if they could find employment elsewhere, some work which is of an irksome kind, is given them to do—the work being of value, as a proof that they are persons to whom relief should be afforded. That is the way in which we spend several millions a-year in this country for the relief of destitution. Now, both these things may be exceedingly right to be undertaken, and both have their separate uses. But if you attempt to combine these two things—if you say you will employ all the paupers in a district, and, at the same time, undertake useful works, by means of which regular wages will be earned, you are just doing the very thing to which the hon. Member for Montrose objects; because he says, and says truly, that if the Government undertakes works and employs labour, it interferes with the labour market, and therefore the whole result is very unsatisfactory. I agree with him in that respect. If you say these persons are destitute, and therefore you must employ them, you will find that their labour is not worth that which it pretends to be worth, and that you are paying them money in the way of wages, while you are not getting work equal to the amount of those wages. On the other hand, you find a number of persons coming to these public works who are not really destitute, and to whom you would not otherwise think of affording relief. There are, however, as I have said, two courses, both of which may be necessary. The one is, to advance money to proprietors to be laid out in labour for the improvement of their estates; and the other is, that in cases of extreme destitution you afford relief for the purpose of preventing the misery that may be induced. But when you attempt to combine them, as the hon. Member for Stroud attempts to do, you will inevitably fall into an error that cannot fail to be prejudicial. I believe the hon. Member for Montrose, and I perfectly agree in these propositions; but then these are not the objects sought for by the hon. Member for Stroud. I have only to say that I do not think it would be safe to adopt the proposal of the hon. Member, as it would, I am afraid, lead to some highly injurious modes of proceeding with reference to Ireland.

Mr. BRIGHT: From the speeches that have been delivered in this debate, and from what we know of Ireland, it is clear that country is so entirely disorganised, that it is extremely difficult to suggest any means by which relief can be extensively given without causing two evils: first, the waste of a great portion of the money which is granted; and next, the demoralisation of a large number of those to whom the relief is given. It is on account of these difficulties that I am disposed to make great allowances for the measures which the Government have undertaken, as well as for any propositions which may be made by the hon. Member for Stroud, even when they appear somewhat inconsistent with correct economical principles. As this is probably the last opportunity during this Session when the question of the condition of Ireland can be discussed, I am anxious to avail myself of it to offer a few observations to the House, and to explain briefly what I conceive to be the course which ought to be taken with regard to that country, to enable its population to place themselves in a position of comfort and independence. The past of Ireland is known to us all; it is a tale of idleness, and poverty, and periodical insurrection; and the present of Ireland is like the past, except that at this moment all its ordinary evils are exhibited in an aggravated form. But there are one or two points with regard to this subject to which I wish especially to ask the attention of the House. Have you ever fully considered the effect which this state of things in Ireland has upon the condition of certain districts in England? We have had some threatenings of disturbances in England, and of disaffection—I hope it is not wide-spread—here and there in various parts of the country. Take the county of Lancaster as an example, and you will see something of the consequences of a large influx of the Irish population into that district. In Liverpool and Manchester, and in all the belt of towns which surround Manchester, there is a large Irish population—in fact, there is an Irish quarter in each of these towns. It is true a great number of these persons are steady, respectable, and industrious, but it is notorious that a large portion of them are the directly opposite of all this. They bring to this country all the vices which have prevailed so much in Ireland; their influence on the people of Lancashire is often of the most unfavourable character, and the effect of their example on the native population must necessarily be injurious. We find that crimes attended with violence too much prevail in Lancashire and Yorkshire. These crimes to a large extent are committed by persons who are not natives of those counties, but who come from Ireland, because it is impossible for them to find subsistence in that country. There is another point which seems to me important. Driven forth by poverty, Irishmen emigrate in great numbers, and in whatsoever quarter of the world an Irishman sets his foot, there stands a bitter—an implacable enemy of England. That is one of the results of the wide-spread disaffection that exists in Ireland. There are hundreds of thousands of the population of the United States of America who are Irish by birth, or by immediate descent; and be it remembered, Irishmen settled in the United States have a large influence in public affairs. They sometimes sway the election of Members of the Legislature, and may even affect the election of the President of the Republic. There may come a time when questions of a critical nature will be agitated between the Governments of Great Britain and the United States; and it is certain that at such a time the Irish in that country will throw their whole weight into the scale against this country, and against peace with this country. These are points which it is necessary to consider, and which arise out of the lamentable condition in which Ireland is placed. When we reflect for a moment upon the destitution which millions of our countrymen suffer in that unfortunate island, the conclusion is inevitable either that the Government or the people of Ireland are in fault. I think both are in fault. I think the Government has been negligent of Ireland. I do not mean the present Government in particular; for they are fully as anxious for the welfare of Ireland as any former Administration has been—but I think the Government generally has been negligent of Ireland. It is a common thing to hear it said, and especially by Gentlemen sitting on the Treasury bench, that the remedy for Irish evils is difficult, and that the difficulty seems insurmountable; but the House may rest assured that no difficulty can be so great as that which must be met if no remedy is applied. To do anything that can be effectual, mnst be infinitely less dangerous than to do nothing. Now I believe the real difficulties which beset this question, do not arise from anything in Ireland, so much as from the constitution of the Government. This House, and the other House of Parliament, are almost exclusively aristocratic in their character. The Administration is therefore necessarily the same, and on the Treasury benches aristocracy reigns supreme. Not fewer than seven Members of the Cabinet are Members of the House of Lords; and every other Member of it is either a Lord by title, or on the very threshold of the peerage by birth or marriage. I am not blaming them for this; it may even be that from neither House of Parliament can fourteen better men be chosen to fill their places. But I maintain that in the present position of Ireland, and looking at human nature as it is, it is not possible that fourteen Gentlemen, circumstanced as these are, can meet round the Council table, and with unbiassed minds fairly discuss the question of Ireland, as it now presents itself to this House, to the country, and to the world. The condition of Ireland requires two kinds of remedies—one political, the other social; and it is hard to tell where the one ends and the other begins. I will speak first of the political remedies. At present there prevails throughout three-fourths of the Irish people a total unbelief in the honesty and integrity of the Government of this country. There may or may not be good grounds for all this ill-feeling; but that it exists no man acquainted with Ireland will deny. The first step to be taken is to remove this feeling; and, to do this, some great measure or measures should be offered to the people of Ireland, which will act as a complete demonstration to them that bygones are to be bygones with regard to the administration of Irish affairs, and that henceforth new, and generous, and equal principles of government are to be adopted. I have on a former occasion stated my opinions on one or two subjects, and I will venture again briefly to explain them to the House. Ireland has long been a country of jars and turmoil, and its jars have arisen chiefly from religious dissensions. In respect of matters of religion she has been governed in a manner totally unknown in England and Scotland. If Ireland has been rightly governed—if it has been wise and just to maintain the Protestant Church established there, you ought, in order to carry out your system, to establish Prelacy in Scotland, and Catholicism in England; and if you were to attempt to do either the one or the other, it would not be a sham but a real insurrection you would provoke. There must be equality between the great religious sects in Ireland—between Catholic and Protestant. It is impossible that this equality can be much longer denied. It is suspected that it is the intention of the Government to bring forward at no distant day, if they can catch the people of England napping, a proposition for paying the Roman Catholic priests of Ireland. On more than one ground I should object to any such scheme. In the first place, I believe the Government cannot, from any funds they possess, or from any they can obtain, place the Catholic priests on an equality with the ministers of the Protestant Church; and if they cannot do that in every respect, the thing is not worth attempting. They will, I think, find it infinitely more easy, and it will certainly be much more in accordance with political justice, and with the true interests of religion, to withdraw from Ireland the Church Establishment which now exists there, and to bring about that perfect equality which may be secured by taking away so much of the funds as are proved to be totally unnecessary for the wants of the population. I do not mean that you should withdraw from the Protestant Church every sixpence now in its possession; what I mean is, that you should separate it from the State, and appropriate all the funds of which it might justly be deprived to some grand national object, such as the support and extension of the system of education now established in Ireland; an appropriation of money which would, I am sure, produce in the minds of the people of Ireland an entire change of feeling with regard to the legislation of Parliament in relation to their country. With regard to the Parliamentary representation of Ireland, having recently spent seventy-three days in an examination of the subject, whilst serving as a Member of the Dublin Election Committee, I assert most distinctly that the representation which exists at this moment is a fraud; and I believe it would be far better if there were no representation at all, because the people would not then be deluded by the idea that they had a representative government to protect their interests. The number of taxes the people have to pay, in order to secure either the municipal or Parliamentary franchise, is so great that it is utterly impossible for the constituencies to be maintained, and for public opinion—the honest, real opinion of the intelligent classes in Ireland—to obtain any common or decent degree of representation in the imperial Legislature. I feel quite confident that in the next Session of Parliament, the questions of religious equality in Ireland, and of Irish representation, must receive a much more serious attention than they have obtained in any past Session. I come now to those social questions which must also receive the attention of Parliament, for if they do not, the political remedies will, after all, be of very little permanent use. I advocate these political changes on the ground, not that they will feed the hungry or employ the idle, but that they will be as oil thrown upon the waters, and will induce the people no longer to feel themselves treated as a conquered race. It is agreed on all sides that the social remedies which are immediately possible to us, are those having reference to the mode in which the land of Ireland is owned, or held and cultivated—perhaps "not cultivated" would be a more correct expression. The noble Lord at the head of the Government has alluded to parts of Ireland in which it is impossible that the land as at present held, or the rates which can be collected, can find relief or sustentation for the people. It is a notorious fact, that there are vast tracts of land in Ireland, which, if left in the hands of nominal and bankrupt owners, will never to the end of time support the population which ought to live upon them. And it is on this ground that I must question the policy of measures for expending public money with a view to the cultivation and reclamation of these lands. The true solution of this matter is to get the lands out of the hands of men who are the nominal, and not the real, possessors. But Parliament maintains laws which act most injuriously in this particular. The law and practice of entails tend to keep the soil in large properties, and in the hands of those who cannot perform their duty to it. It will be said that entails exist in Scotland and in England. Yes; but this Session a law has passed, or is passing, to modify the system as it has heretofore existed in Scotland; and in England many of its evils have been partially overcome by the extraordinary, and, to some degree, the accidental extension of manufacturing industry among the people. In Ireland there are no such mitigations; a code of laws exist, under which it is impossible for the land and the people to be brought, as it were, together, and for industry to live in independence and comfort, instead of crawling to this House, as it does almost annually, to ask alms of the hardworking people of England. The law and practice of primogeniture is another evil of the same character. It is a law unnatural and unjust at all times; but in the present condition of Ireland it cannot much longer be endured. Were I called upon—and it is a bold figure of speech to mention such a thing—but were I called upon to treat this Irish question, I would establish, for a limited period at least, a special court in Ireland to adjudicate on all questions connected with the titles and transfers of landed property. This court should finally decide questions of title; it should prepare and enforce a simple and short form of conveyance, as short almost as that by which railway stock is transferred; and, without regard to the public revenue, I would abolish every farthing of expense which is now incurred in the duties on stamps, for the purpose of facilitating the distribution of land in Ireland, and of allowing the capital and industry of the people to work out its salvation. All this is possible; and, more than this, it is all necessary. Well, now, what is the real obstacle in our path? You have toiled at this Irish difficulty Session after Session, and some of you have grown from boyhood to greyheaded old men, since it first met you in your legislative career, and yet there is not in ancient or modern history a picture so humiliating as that which Ireland presents to the world at this moment; and there is not an English gentleman who, if he crossed the Channel in the present autumn, and travelled in any foreign country, would not wish to escape from any conversation among foreigners, in which the question of the condition of Ireland was mooted for a single moment. Let the House, if it can, regard Ireland as an English county. Let us think of the eight millions of people, and of the millions of them doomed to this intolerable suffering. Let us think of the half-million, who, within two years past, have perished miserably in the workhouses and on the highways, and in their hovels—more, far more than ever fell by the sword in any war this country ever waged; let us think of the crop of nameless horrors which is even now growing up in Ireland, and whose disastrous fruit may be gathered in years and generations to come. Let us examine what are the laws and the principles under which alone God and nature have permitted that nations should become industrious and provident. I hope the House will pardon me, if I have said a word that can offend any one. But I feel conscious of a personal humiliation when I consider the state of Ireland. I do not wish to puff nostrums of my own, though it may be thought I am opposed to much that exists in the present order of things; but whether it tended to advance democracy, or to uphold aristocracy, or any other system, I would wish to fling to the winds any prejudice I have entertained, and any principle that may be questioned, if I can thereby do one single thing to hasten by a single day the time when Ireland shall be made at least equal to England in that comfort and that independence which an industrious people may have, if the Government under which they live is equal and just.

Mr. BROTHERTON said, that he concurred in what had fallen from the hon. Member for Stroud, as regards the principle, that whatever money was advanced by this country to Ireland, ought to be expended in productive labour, and not in useless works. The rental of Ireland was estimated at thirteen millions, and the incumbrances amounted to six millions; but with regard to some particular estates the interest on the mortgages amounted to nine-tenths of the rental. Although the poor-rate, taking the whole country, might not average more than a shilling in the pound on the annual rental, yet in particular localities the rate amounted to five, and in some cases to ten shillings in the pound. Now, as landlords were liable to pay half the rates of their tenants whose holdings were under five pounds a year, it sometimes happened that the whole rent derived from an estate heavily incumbered, was absorbed for poor-rates. He (Mr. Brotherton, had found from experience and observation, that it was easier to point out evils, and to find fault, than to prescribe remedies and carry them out. One thing, however, he considered desirable in reference to Ireland. He would have a property-tax levied in that country, to form a general fund, which might be appropriated to the relief of distressed districts where the population was great, and the poor-rates much above the general average of the country. The burden of supporting the poor would thus fall upon the property of the country more equally than at present, and give essential relief to those districts where it was most needed.

Amendment negatived.

THE FINANCIAL STATEMENT.

House in Committee of Ways and Means.

The CHANCELLOR of the EXCHEQUER then rose and said: I am afraid, after the debate on the state of Ireland, the subject I am about to introduce, although of more general importance, will not excite so much interest, especially among Members connected with that country. Nevertheless, it is requisite, for many reasons, that the statement I am about to make should be made to-night; because, according to the forms of the House, we cannot go into Committee of Ways and Means on Saturday; and it would materially impede the progress of public business if I were not allowed to make my financial statement before the close of the week. This was the only reason why my noble Friend suggested the propriety of going into Committee of Ways and Means without further delay; and not in the slightest degree because we were insensible to the importance of the subject, or were unprepared to give our best attention to the condition of Ireland. Having stated this much, which I hope will satisfy the Gentlemen from Ireland, that really good reasons existed for the course my noble Friend has taken in cutting short the debate, I will at once turn to the important subject of the Committee of Ways and Means; and, first of all, I will state what I consider the financial condition of the country, and the means which the Government have adopted since the commencement of the Session in regard to the finances. In doing so, I am aware I shall not have much that is new to state to the Committee; for, in the first place, as the whole of the estimates have been voted, the amount of expenditure is perfectly well known to the House. At the beginning of the Session, and at various other periods, statements were made which put the House in possession of the then precise state of affairs. But, although I have not much to state that may be novel, it is desirable that I should place before the Committee, in one view, the result of the operations of the Session—what the expenditure will amount to—what we expect the income to be—and how I propose to make the income equal to the expenditure. This I am anxious to do as clearly, as accurately, and as concisely as possible. Gentlemen will probably remember, that when my noble Friend made his statement early in the Session, the prospects which he held out to the country were as follows. He estimated the probable receipts at 51,250,000*l.*; he stated the debt and other charges on the Consolidated Fund at 31,280,600*l.*; he took the current expenditure to be voted in supply at 21,820,441*l.*, making an expenditure belonging to the year of 53,101,041*l.* He stated the amount of expenditure which had been incurred on account of the Caffre war and the excess of naval estimates in the preceding year at 1,345,411*l.*, making altogether 54,446,452*l.*; and he intimated the intention of the Government to make a further development of the militia force of the country, which would occasion an expense of 150,000*l.*, making the total expenditure of the year as then proposed 54,596,452*l.* In order to meet this expenditure, the proposal of the Government was to raise the income-tax from 3 to 5 per cent for a period of two years. This was estimated to produce 3,500,000*l.* My noble Friend then proposed to remit the duty on copper, by which a loss of revenue was expected to the extent of 40,000*l.* The estimated income then was 54,710,000*l.*, the expenditure 54,596,452*l.*, leaving a balance of 113,548*l.* The proposal we then made was, as I have said, a temporary increase of taxation for a period of two years; and the reason for proposing that temporary increase was, that a great portion of the expenditure incurred was for temporary purposes. There was the expenditure for the Caffre war, which was closed, and the naval excess had occurred in the preceding year, for which it was necessary to replace in the Exchequer the moneys which had been withdrawn; and with regard to a considerable portion of the increased expense, it was occasioned mainly by heavy works in the dockyards, which had been begun, not by us, but by a preceding Government; but which certainly it was desirable to carry on, and which I believe it would be, after all, most desirable with a view to real economy to complete at an early day. Feeling this, the Government thought it necessary in order to meet this expenditure, to make a heavy demand on the resources of the country, and for the period of two years we proposed an increase of the income-tax. That proposal was certainly not received with any favour by the House. I am perfectly prepared to admit that the circumstances under which the country was labouring, the distress through which they had gone during the six or eight months preceding, formed a very good reason why they should have been unwilling at that time to submit to additional taxation. The circumstances, too, which occurred on the Continent shortly after that proposal was made, throwing as they did into the greatest uncertainty the whole prospects of the country, not only politically but commercially and financially, tended to make us more willing at that time to abandon our proposal for additional taxation, leaving to a future time to announce what other resource we should adopt. The abandonment of that proposal for additional taxation made it necessary for us to review the whole finances and taxation of the country, in order that we might take such an altered course as, in the altered circumstances, might appear advisable. I now propose to state to the Committee what that course was, and the result at which we have arrived. With the permission of the Committee, I will, for the present, put aside all considerations of past expenditure, and deal only with the income of the year as compared with the expenditure; for it will be observed that, both with regard to the expenditure for the Caffre war and the naval excess, they had been defrayed by moneys in the Exchequer. They were included in the expenditure as stated in the balance-sheet of the 5th of April, which nevertheless showed balances to the extent of 6,768,336*l.* The moneys so advanced, however, it was necessary to replace to the Exchequer. The first object of the Government was to revise the expenditure. It must be observed, that in the course of the two or three preceding years there had been no inconsiderable increase of expenditure—not an increase of expenditure proposed by ourselves, but principally before we came into office. I find that, in the year 1846, an increase of the estimates and of charge as compared with the preceding year was no less than 1,610,000*l.*, exclusive of those charges which, to the extent of 345,500*l.*, were transferred from the county rates and local taxation to the general revenue, making in all an increase of 1,955,500*l.* in the expenditure of 1846—in round numbers, nearly 2,000,000*l.* The hon. Gentleman the Member for the West Riding of Yorkshire said very truly not very long ago that it was not this Government nor any other Government that was responsible for this increased expenditure. The House of Commons had concurred in its propriety, and in many instances had pressed the increased expenditure on the Government. The increased estimate was passed with little opposition—the country concurred in it; and the hon. Gentleman said, very wisely, if blame there was, all participated in it. Our duty, therefore, is not to recriminate one on another, but in the present state of the country to unite our common efforts for the purpose of reducing expenditure, so far as it can be done without impairing the efficiency of our establishments. I think, moreover, that in respect to the object for which the greatest increase of expenditure has taken place, namely, in the maintenance of our national defences, the House of Commons has only carried out what appeared to be the feeling of the country. Last year, and the year before, there was a very general feeling of alarm throughout the country. Not only Gentlemen in the House, but the public generally, had a strong feeling of that kind; and in the proposals which were made in this House for increasing our means of national defence, both the Government of the day and the House of Commons itself fairly represented the opinions of the country. That opinion, no doubt, has since changed. I myself was never one of the alarmists. I never took a very desponding view on that subject. But such was the general opinion; but it is now desirable that these measures should be carried only more slowly into execution than was then thought advisable by the House and the country. With a view to reduction the first step taken by the Government was to appoint two Committees to look into the expenses of the country—one having the miscellaneous estimates, the other the naval and military estimates, submitted to them. We have now before us two able reports on these subjects, from which great information will be derived. As I stated before, those Committees were not appointed for the purpose of avoiding responsibility on the part of the Government. But I do think the revision of our expenditure from time to time is a matter of the greatest importance, if it were only to afford to hon. Members that knowledge which will enable them to discuss the estimates with discrimination. Having appointed these Committees, the Government immediately gave their earnest attention to the subject, and it was my duty to call on all the departments and insist that they should act with the utmost economy. With the greatest readiness this desire was complied with. In one point, namely, the amount of force, no reduction was made. That was absolutely necessary, as we thought, for the safety of the country; and the House of Commons have confirmed that opinion by the largest majorities in regard to both descriptions of force. I do not think, looking at the circumstances which have since taken place, that we could safely have proposed a reduction on that head. Both with regard to the sister country and the manufacturing districts there have been constant demands for military protection, and we should have been less able to afford that protection to those parties who had a right to demand it, if we had not had a force fully as large as the House of Commons voted on the proposition of the Government. But with respect to other portions of the expenditure, it was possible to make considerable reductions. I do not wish to deceive the House, however, by saying that I think it good economy to make all the reductions we propose if we could avoid it. On the contrary, I am of opinion that it would be better economy, in the end, to proceed at a more rapid rate with the works we have on hand than to defer the expenditure, and spread it over a longer period. But, on the other hand, it is sometimes advisable to defer the expenditure, and spread it over a longer period, in order to bring the yearly outlay within the means of the country; and therefore we have determined to do so in the present instance. In the course we have pursued, therefore, I wish to state fairly and frankly what my opinion is. I think we were justified in making the proposals we did by the soundest principles of finance; but the House not having concurred in those proposals, we have endeavoured to meet the views of the House by reducing to the utmost extent we could those portions of the expenditure which were at all susceptible of it. The reductions which we have effected are as follows:—The vote on the Navy is 208,000*l.* less than that which we originally submitted to Parliament. The vote for the Army, including the militia and commissariat, is 150,200*l.* less; the vote for the Ordnance, 123,000*l.* less; the Miscellaneous Estimates, 235,500*l.* less. The proposal to embody a further militia force having been given up, there is a saving on that head of

150,000*l.* The whole of those reductions amount to 866,700*l.* But the increased pay of the pensioners having required a sum of 25,000*l.*, and certain additions to the Miscellaneous Estimates a further sum of 13,200*l.*, the actual reductions amount only to 828,700*l.* This is the amount of the reductions upon the original estimates we submitted to Parliament. I will now state the whole expenditure. The expenditure for the year is as follows:—31,280,600*l.* for the debt, and other charges on the Consolidated Fund; 7,518,610*l.* for the Navy; 7,012,795*l.* for the Army; 2,801,760*l.* for the Ordnance; 3,783,570*l.* for the Miscellaneous expenditure; 25,000*l.* for the pensioners—in all 52,422,335*l.* My noble Friend in his statement at the beginning of the Session estimated the receipts at 51,210,000*l.* But an arrangement having been made to pay the appropriations in aid at once into the Exchequer, instead of allowing them to accumulate, and adding them to the revenue of the following year, a sum of 500,000*l.* becomes available this year, in addition to what we had calculated upon. I have stated before, also, that owing to the excellent barley crop of last year, malting has been carried on to a much greater extent than usual, and has consequently helped to increase the Excise revenue. The Stamp revenue has fallen off; but taking the two sources of revenue together, we may calculate on an increase of revenue above what we anticipated, of 340,000*l.* In addition to this, we have received 80,000*l.* as the last remnant of the China money, making altogether 52,130,000*l.* The deficiency of income below the expenditure is therefore 292,335*l.* This, considering our prospects at the beginning of the Session, is, I venture to think, not unsatisfactory. I stated to the House early in the present year, that I hoped they would give us credit for an anxious desire to reduce the expenditure as much as possible. I stated that it would not be possible to reduce the expenditure summarily and at once—that I indeed thought it would be exceedingly bad economy to do so; and that I hoped they would not press us to carry the reductions further than was really consistent with the best interests of the country, and with maintaining the efficiency of our establishments. My noble Friend stated that considerable reductions might be carried into effect next year, but that he could hold out little hope of much reduction being effected in the present year. I have shown the Committee, however, that even in the present year we have effected reductions to the amount of no less a sum than 828,000*l.*, which I hope the Committee will accept as an earnest of our anxious desire to reduce the expenditure as far as possible. In the present state of the Continent, and considering how our trade is affected by the state of affairs there, it is very difficult to anticipate what our revenue may be next year; but taking the year as an ordinarily favourable one, I anticipate that, with the reductions which we shall be able to carry into effect, the income will more than equal the expenditure, in which there is, as I have stated, a deficiency of only 292,000*l.* I have now stated the ordinary expenditure of the country as compared with its income for the year. I have now to advert to the extraordinary expenditure. In the first place there is a sum of 1,100,000*l.* for the Caffre war, and 245,411*l.* for the naval excess, making together, 1,345,411*l.* Then there is a sum of 262,545*l.* for Irish distress, and 130,965*l.* for assistance to the destitute emigrants landed in Canada, making together, 1,738,921*l.* The total expenditure of the year is, therefore, 54,161,256*l.*; and the income being 52,130,000*l.*, the deficiency is 2,031,256*l.* If I followed the course which has been followed before, I might propose to the Committee to charge this deficiency upon the Consolidated Fund, leaving the charges to be met at the end of the year by a diminution of the balances in the Exchequer; but I do not think myself justified in doing so. The House has already sanctioned the advance of considerable sums from that source. The Committee will remember that, some time ago, it was agreed to advance the sum of 2,000,000*l.* for the purpose of drainage in England and Scotland, and a further sum of 1,500,000*l.* for land improvements in Ireland, making together a sum of 3,500,000*l.*; of this sum there has actually been advanced, for England and Scotland, 180,000*l.*; and for Ireland, 330,000*l.*; together, 510,000*l.*; leaving 3,000,000*l.* of the sum still to be advanced. It is, of course, impossible to say how much of this may be demanded in the course of the year, but it may probably amount to one-third. As the works proceed, the charge upon the Consolidated Fund will necessarily increase; because, while there is great delay at the commencement of the works, when once they are in progress they will be carried on more rapidly, and the demand for the money to do so will be proportionately great. There is also a charge upon the Consolidated Fund of 70,000*l.* for New Zealand; another charge of 170,000*l.* for Trinidad and Guiana; and another of 50,000*l.* for Tobago: making, with some minor sums, a total charge on that head say of 300,000*l.* With respect to the sums advanced for drainage and the improvement of the land, I need not say that we have ample security. I have reason, from the report of the Board of Works in Ireland, to believe that in that country the average improvement will be about 8 per cent on the outlay—thereby supplying a source of increased income to the parties who have borrowed the money. With respect to Ireland, there can, I think, be no possible mode of improving that country half so good as that of putting it in the power of the proprietors themselves to improve their land, and also putting them in a position of benefiting the neighbourhood in which their estates are situated, by furnishing labour to the people, and acting as a benefactor to them in the most wholesome and sound of all ways—improving their character, at the same time that they are improving their condition. Having thus stated the sums with which the Consolidated Fund is chargeable at present, I have now to state that the plan which I propose for replacing the sums which have been drawn from the Treasury for these extraordinary services, and enabling it to meet the demands for advances which may be made upon it, is by borrowing to the amount of 2,000,000*l.* Different courses have been pursued, on former occasions, when it was necessary to provide for a deficient income. I find that in 1842 the following course was taken. In that year the estimated deficiency of income from the repeal and reduction of duties, and other causes, was 3,780,000*l.* The estimated amount of taxes imposed was 4,300,000*l.*; but the whole were not to be received within the year. Deducting one-half of the income-tax, 1,850,000*l.*, not receivable within the year, the amount receivable within the year was 2,450,000*l.* The probable deficiency in April 5, 1843, therefore, was 1,330,000*l.* The actual deficiency, however, was 2,421,000*l.* Now the course taken at that time to meet this deficiency was to take a credit on the surplus of the Consolidated Fund for more than it could produce, and to meet the demand at the end of each successive quarter by a large issue of deficiency bills; and to such an extent was this done, that, on the 5th of January, 1843, the deficiency bills amounted to 8,567,729*l.*; and in the course of the ensuing April the amount borrowed was 7,549,440*l.* Such was the provision for meeting the deficiency of income in 1842. On the 29th of April, 1844, I find the then Chancellor of the Exchequer (Mr. Goulburn), stating to the House that that deficiency had been completely extinguished by the surplus of the succeeding years. The right hon. Gentleman said—

> "It will be in the recollection of the House that, at the close of the last year, I had to announce to the House the fact of a very considerable deficiency of income. I recommended to the House to make no provision whatever for the payment of that deficiency—not to raise money by loan for the purpose of getting rid of it, but to leave it to be defrayed out of the surpluses of future years, as circumstances might from time to time allow. And I am now happy to announce to the House that the deficit of last year, amounting altogether to 2,749,000*l.*, has been cleared off and discharged out of the produce of the revenue of the present year."

Now, although in this case it was justified by success, I cannot disguise from the House that this is a dangerous course to pursue, and in the state of affairs at home and abroad, it would not be at all justifiable on the present occasion. I propose to adopt a course which was pursued by the right hon. Gentleman the Member for Tamworth in 1841. I find that on that occasion the money raised to satisfy grants on supply and interest on Exchequer-bills was 2,467,432*l.* I propose in the same way to meet the deficiency of the present year by taking power to raise the necessary amount by the issue of Exchequer-bills and the sale of stock. No person feels more than myself that in ordinary circumstances this is a most objectionable course to pursue. We thought it so objectionable that we proposed to meet the deficiency by increased taxation. The House, however, did not think it advisable to accede to that proposal; and the right hon. Gentleman the Member for Stamford—no light authority on these matters—thought that we had good reason for abandoning the proposal, since the House and the country were not prepared to submit to increased taxation for two years for the purpose of defraying a temporary excess of expenditure. I do not, therefore, see what other course we can pursue. I do not think I should be justified in proposing a permanent tax for the purpose of covering temporary expenditure. I still think that for a temporary excess a temporary tax—and in the shape in which we proposed it—would have been the course most advisable; but that proposal having been rejected by the House, the next best course is to borrow the money in the way I have proposed. The circumstances in which the proposal is made are not of an ordinary kind. In the course of the last two years we have been called upon to deal with the questions of a famine in Ireland—commercial distress in England and Scotland—and revolution throughout Europe, which have affected this country both commercially and financially in no inconsiderable degree. I say nothing of insurrection at home. In such extraordinary circumstances, therefore, I conceive that we are justified in taking a course which would not be justifiable in ordinary years. I do not believe that the history of the civilised world records a greater destruction of human food than that which occurred in 1846, or such a demand for capital to replace that food. I will not say that the commercial distress of 1847 was the severest ever known; but it certainly ranks among the severest pressures that ever took place. Just when we were recovering from that distress, and when symptoms of reviving trade were appearing throughout the country, a series of revolutions took place on the continent of Europe, which, independently of other evils, put a check upon our export trade; and if anybody will refer to the returns of our exports, he will see to what an extent they have fallen off in consequence of the cessation of the Continental demand. Everybody will also recollect the effect of the blockade of the northern ports in consequence of the dispute between Denmark and Germany. All these matters have seriously affected our trade, and it must be the anxious desire of all of us to see an early termination put to these unfortunate occurrences. And having said this, I will only observe further, that any one who reflects upon it will see the deep interest which this country has in the universal prosperity of other countries. I have heard it stated that these occurrences abroad benefit this country; but they do no such thing. On the narrowest ground of our selfish interest it is infinitely more for our benefit that other countries should be happy and prosperous than that they should be the reverse; and, therefore, no effort we can make for the settlement of those questions can be more useful to those countries, or to the interests of humanity generally, than to the commercial and selfish interest of this country. Of course, in the uncertainty which prevails with respect to the state of affairs on the Continent, it is difficult to anticipate what expenditure may be required; but I hope not only that we shall be able to reduce the expenditure, but that the revenue will considerably increase. I wish to show to the House how, even under existing circumstances, the revenue has kept up to a degree which, I confess, has filled me with astonishment. Comparing 1845-6 with 1847-8, I find that the receipts in the former period were 51,258,465*l.*, and in the latter 51,627,736*l.*, being nearly 400,000*l.* more than in the former year. At the beginning of 1847 it became my duty to state to the House what the probable income of the year would be. Of course, it was impossible to anticipate the convulsions which have since taken place; but I stated, early in February, that my estimate of the ordinary revenue for the year 1847-8 was 52,065,000*l.* Well, in spite of those convulsions and the consequent stagnation of trade, the actual produce of the ordinary revenue was 51,627,000*l.*, being only 438,000*l.* less than that which I estimated it at the beginning of the year. When I mention that a diminution of no less a sum than 1,400,000*l.* took place on malt and spirits, arising from the failure of the spring crops, the Committee will see to what extent the general revenue must have been affected. I am happy to say that, taking the present quarter so far as it goes, the prospects of the revenue are anything but unsatisfactory. I find that the decrease on the whole ordinary revenue from April 8 to the middle of August, 1848, as compared with 1847, is only 115,000*l.*; while there has been an increase of the Customs and Excise duties in the same time of 500,000*l.* A portion of that was owing to the receipt of corn duties which were not receivable in the previous year; but, excluding the corn duties, the increase of the Customs duties is 22,000*l.* Without anticipating too much, and without being too confident with respect to the future, I think that the facts I have stated are satisfactory, as showing how, even under the adverse circumstances of this year, the revenue has maintained itself; and that the receipts had not fallen off so much as, looking to all the circumstances, might have been anticipated.

They are also satisfactory, as showing the great power of consumption of this country; for, although our exports have fallen off, our imports have remained at a high point—a proof of the benefit of the cheapness which during the last twelve months has enabled the great mass of the people to provide themselves with the necessaries and many of the comforts of life. In another respect the circumstances of the country have been most satisfactory, and for which we cannot be too thankful—I mean the state of tranquillity and peace which has prevailed at home. For, if we refer to what has taken place abroad—though the last thing we have reason to look at with satisfaction is the distress of our neighbours—yet, if we compare the receipts of the Customs duties of France with the receipts of this country, the result is most striking; and ought to be a subject of deep reflection with those who have at any time shown a disposition to disturb the public peace amongst us. From that comparison they must see what an infinite disadvantage it is to themselves, and what misery must be entailed upon a country by any interruption of its internal tranquillity. A short time ago an account of the receipts of the French Customs fell into my hands, by which it appears that, during the first five months of the year 1847, the receipts were in pounds sterling 2,191,000*l.*; while for the first five months of the present year (1848) the receipts were 1,290,000*l.*, being a falling-off of 901,000*l.*, or 5-12ths in the latter period, as compared with the former. Now, the amount of Customs duties received in this country for the corresponding five months in the year 1847 was 8,308,000; and the amount received for the first five months of this year was 8,207,000*l.*, being a falling-off of only 101,000*l.*, or say 1-83rd part of the produce of the first period. I am sorry to say that, looking at the French Customs receipts in the month of May last, the falling-off was, as compared with the receipts of the preceding month of May, not less than one-half. This great deficiency in the receipts of the French Customs duties is unquestionably to be attributed to the extraordinary check which the disturbances of the public peace in that country have given to industry and the employment of capital among that people, and demonstrates how great are the sacrifices which a nation is compelled to undergo where such revolutionary movements occur. Thank God, nothing of that kind has happened here; and that we have reason to be most grateful for the state of peace and tranquillity which has prevailed in this country, conferring, as such a state ever does, so many benefits upon all classes, but more especially the working classes of the community. With regard to the state of trade, without pretending to say that it is in a most flourishing condition, I feel fully justified in declaring it to be in a sound and satisfactory state. I find that the drain of bullion from the Bank, which was taking place some few weeks ago, has ceased; and that the amount of bullion has not only been maintained, but in the course of the last week has been augmented. In the week ending the 12th of this month the amount of bullion in the Bank was 13,365,000*l.*; while in the week ending on the 19th, it was 13,371,000*l.*; there being at both periods a reserve of about 9,000,000*l.* In considering this criterion of the condition of the country, one must always compare the state of the Bank at equal periods after paying the dividends. Now, I find that the amount of bullion in the Bank on the 19th of this month was about the same as it was on the 20th ot May last; in the former period the amount being (as I have already stated) 13,371,000*l.*, and in the latter 13,379,000; both periods being equally distant from the payment of the interest on the public debt. I think, therefore, we may assume that the state of trade, though not very prosperous, nor the demand for labour very great, is upon the whole satisfactory, especially when we bear in mind the cheapness of all commodities, and particularly of the raw materials upon which labour is employed. At all events, I think it may be fairly stated that we are in that position in which we may readily avail ourselves of any favourable turn which a more tranquil state of affairs on the continent of Europe may open to us. I do not think I should properly perform my duty if I did not advert to that topic about which every hon. Member must be naturally very anxious — namely, the prospects of the country in regard to the produce of the harvest. Considering the very unsettled state of the weather, the condition of the crops must necessarily be a source of great concern and anxiety. Without going into any lengthened details, I will state generally the information which I have received upon the subject. I am sorry, then, to say that in the west and south of England there has been a considerable failure of the potato crop; but from the north I have not received any account that, as yet, there are signs of injury to the root, at least to any great extent. The same also may be said with regard to Scotland, where I understand the crops have not hitherto suffered injury. There are, however, very different accounts as to the harvest; but I cannot discover from them that in general much harm has been done. In some parts of the country, more especially in the west, it is stated that, in consequence of the wetness of the weather, the corn has sprouted; but from the north of England and from Scotland the accounts are much more favourable, and there is no reason to expect that any great damage has been sustained. Indeed, I believe, that in respect to rain, which has been so very plentiful in this metropolis, there has been a want of it in some of the more northern parts of the country, and that the turnip crops have, in consequence, been injured. Upon the whole, however, I see no reason for any great anxiety being felt in regard to the general produce of the harvest, so far as this country is concerned. With respect to Ireland the accounts are exceedingly various. Even at the same place the prospects at different periods have been very different. It would be quite impossible for me to go into details; and perhaps I shall best discharge my duty by stating what I believe to be the general result of the accounts which have reached me. I believe there is hardly any part of Ireland in which the potato disease has not in a greater or less degree shown itself. In the south the disease has appeared and disappeared and appeared again, according to the change in the weather; and in the north the accounts received are equally various. That in many places the root is injured, I am afraid is too true. The early crop has in various instances escaped; but with regard to the late crop, present appearances are not so favourable. The reports, however, from all parts of Ireland are, that so much larger a quantity of ground has been planted with potatoes this year than in almost any preceding year, that, even allowing for a very great loss from disease, still there is no reason to apprehend that there will not be a large amount of human food in the country, the supply from the larger quantity planted, approaching, even after the loss, to what it has been in former years, when the crops on a less area of ground were comparatively uninjured. I find, on referring to a Mayo newspaper which was put into my hands this morning, that this is precisely the view taken as to the crops in that county. The writer says—

> "All the tops of the late plantings are becoming withered and black. We are not, however, without hope as regards the early ones, as, while the stalks are affected, the tubers continue generally excellent. Should the disease progress, this country is ruined. On the other hand, should it please God to stay the spread of the disease, from the quantity of ground under potato, much of the evil of the last famine would be forgotten amongst us."

It is, very difficult to ascertain accurately the truth of the case, with regard to the crops. There is—and not unnaturally so—a tendency on the part of certain interested parties to exaggerate the deficiency of the crops; and I am afraid that in some parts of the country the population avail themselves of the means put in their power, by misrepresenting the actual state of the produce of their farms, of working upon the benevolent feelings of others, and thus throwing themselves upon eleemosynary aid, instead of doing their best to render any such assistance unnecessary. Doubtless numbers of people have been saved from starvation by the timely help afforded them in the last year or two; but it cannot be concealed that much demoralisation of the people has been caused, and that they are but too willing to depend upon charity, and Government assistance, instead of endeavouring to raise the food and adopt the means which are necessary for their subsistence. I therefore think—as my noble Friend has already stated—that according to the present amount of information obtained as to the real state of the crops in Ireland, it is impossible to foresee what amount of produce will be available for human food in that country. It is, however, quite certain that upon all former occasions when a scarcity has been assumed to exist, and, indeed, when it has really existed, there has been a much larger quantity of food in the country than anybody has at first represented there to be. So, in the present instance, my opinion is, unless, indeed, there be such a failure of the crops as to be unexampled even by the year 1846, that there will be an amount of food in Ireland adequate to support the people of that country for a considerable time. After what the hon. Member for Montrose has already stated, and after what has fallen from my noble Friend on a former occasion when speaking as to the state of the crops in Ireland, I think it would, on the one hand, be unjust to the suffering people of this country, and fatal to the ultimate welfare of Ireland, if any sweeping measure of relief were at once to be adopted; I hope and believe that it will not be needed; but, on the other hand, I think it would be wrong, and an act of cruelty, if under the extremest emergency we were to say that no assistance or relief whatsoever should be given to a suffering and starving population. With these views I consider it inexpedient to hold out an expectation of any large assistance being afforded; while I hope that to a limited extent the House will place confidence in us, and allow us, within moderate limits, to dispense such assistance as may be absolutely necessary. As to what the result will actually be, no one can pretend to foretell. It may be like the former visitation. I hope and pray not; but if it be, then it will be our bounden duty immediately to refer the case to the wisdom of Parliament. Without wishing, then, on the one hand, to hold out any general expectation of relief, yet, on the other hand, feeling that relief ought to be given where it would be utterly impossible that life should be maintained without it, I think for the present we must wait till we see what the result of the harvest shall be. We must know what the produce of the crops is, and what the circumstances of the country are, before we can decide what shall be the course we ought to pursue.

Mr. HUME said, that where men found themselves not in quite so bad a position as they anticipated, they were in the habit of congratulating each other on their good fortune. The House was in such a position, and was evidently in the vein to be pleased with a very little. It was a matter of serious consideration to find that after reducing the deficiencies from 3,000,000*l.* to 2,000,000*l.* they still required to borrow. This might be very well if there was a thriving population well employed; but when the state of the country, and the increasing burdens on account of the poor, were borne in mind, our condition was not one for congratulation. He regaetted that no hope had been held out of a diminution of the Army and Navy, as a temporary reduction of 826,000*l.*, caused by the postponement of public works, could not afford any substantial relief to the country. In point of fact, with the exception of a saving on the head of militia estimates, not a single shilling had been saved. The naval and military force of the empire was at least twice as large as there was any necessity for. It could scarcely be credited, but such was the fact, that there were more armed men in Ireland in the service of the Government than there were voters. Let them look at the income and expenditure of past years. The national income from 1840 to 1843 averaged from 50,500,000*l.* to 52,000,000*l.*, and the expenditure was proportionately small; but since that period the revenue, instead of being 50,000,000*l.* or 52,000,000*l.*, increased in 1844 to 55,500,000*l.*; in 1845, to 57,000,000*l.*; in 1846, to 56,250,000*l.*; and in 1847, to 56,000,000*l.* In 1844, the expenditure on account of the Army and Navy amounted to 14,000,000*l.*; in 1845, to about the same; in 1846, to 15,600,000*l.*; in 1847, to 16,800,000*l.*; until in 1848 it amounted to 18,500,000*l.*; and the country had a just right to complain of such enormous additions to the public burdens. The actual taxation, including the cost of collection, about 4,000,000*l.*, amounted to nearly 60,000,000*l.* As to the disturbances which had taken place in this country, he could scarcely have believed that men were to be found capable of such visionary, crude, and impossible schemes. It was, however, satisfactory to find that the proceedings which had recently taken place were not planned by the labouring classes of the country, but originated amongst the lowest and vicious of the community. Many persons were now suffering in prison who had openly given expressions to their political feelings who should no more be liable to be imprisoned than himself or any other hon. Gentleman. He had expressed himself as strongly on politics as many of those who were now in confinement; and he hoped that before long there would be an end put to such arrests. He trusted that the right hon. Gentleman the Chancellor of the Exchequer would not raise his loan by the creation of stock, as great loss had been occasioned by previous transactions of the kind. In conclusion, he expressed his deep regret that the Chancellor of the Exchequer had not announced any reduction in the Army and Navy.

Lord G. BENTINCK: Sir, I do not propose to follow the hon. Gentleman the Member for Montrose, still less to dispute the statement he so frankly made, that he has held stronger language than that given expression to by those lately convicted under the Crown and Government Security Bill for sedition; and, I suppose I may add, treason and felony, for I remember the occasion upon which the hon. Gentleman advised the Canadian colonists to cast off the dominion of the British Crown. When the hon. Gentleman rose, he created some surprise at this side of the House by observing that the Chancellor of the Exchequer sat down amid general congratulations. Surely, if any such expressions of gratification were indulged in by hon. Gentlemen on the opposite benches, they must have been conveyed in a suppressed whisper, for they did not reach us. I do not think there is anything to congratulate the right hon. Gentleman upon, although I heard him congratulate himself that things were no worse. It appears to me, that a more insolvent statement could not be made by a Chancellor of the Exchequer; and the only consolation to derive from it is that, as things are so bad, they may soon get better. Such also was the right hon. Gentleman's hope in the spring of 1847. For my part, I think the best foundation he has for his congratulations, and his most consoling reflection, is very much akin to that of a certain gallant knight (Sir Hudibras) who, when imprisoned in the village stocks, expressed a hope that his dog-bolt fortunes might—

. . . "quickly end,
Or turn about again and mend."

The right hon. Gentleman told us, that various financial statements had been made to the House. Various and varying they were; for this is the fourth budget or explanatory financial statement with which we have been favoured. The right hon. Gentleman has gone to some pains to explain budget No. 4; but now that I have heard it, I am not sure I understand it. We have not been told that the corn duties were included in the statement. [The CHANCELLOR of the EXCHEQUER: They are always included.] Not "always;" for when the right hon. Gentleman made his financial statement in the early part of the Session, he forgot to include them. I understood the right hon. Gentleman to say, that there was an increase in the Customs of 22,000*l.* over the corresponding period of last year. [The CHANCELLOR of the EXCHEQUER: Exclusive of corn duties.] I understand, that 207,000*l.* had been received up to the 15th of June. So I presumed, that up to this time about 300,000*l.* had been received from corn duties. The House will recollect, that when the first financial statement was made, we were informed that there would be a deficiency of nearly 3,000,000*l.*, and that such deficiency was to be made up by an increase in the income-tax yielding 3,500,000*l.* That proposal for an increased tax upon incomes was subsequently abandoned; but we are now told that the malt duties have so much exceeded in amount the estimates framed by the right hon. Gentleman, that on the head of Excise there is already an increase over the corresponding period of last year of upwards of 500,000*l.* [The CHANCELLOR of the EXCHEQUER: I said the increase was upon the Customs and Excise.] If I understood the right hon. Gentleman, he said that the corn duties were not included in his statement of Customs. [The CHANCELLOR of the EXCHEQUER: I stated, that the increase upon the Customs and the Excise, taken together, was more than 500,000*l.* I also said, that there was an increase of 22,000*l.* in the Customs duties, exclusive of the corn duties.] Then we are to understand that there is a decrease on stamps, the amount of which the right hon. Gentleman is not prepared to state; and that upon the balance there is an increase of revenue on Customs and Excise to the extent of 500,000*l.* The right hon. Gentleman tells us, that it is his intention to provide for the deficiency, which is estimated at 2,000,000*l.*, by selling stock; but, as the value of stock varies, to borrow money in such an irregular way is very like flying a kite. When looking forward to an increased surplus of revenue wherewith to reimburse himself, the right hon. Gentleman has forgotten to tell us to what source he looked forward with so much confidence for this increase of revenue; for the House will recollect that this corn duty, which, coming in at the present rate within the current eleven months, would yield 670,000*l.*, will cease on the 1st day of February next. This shows, that there is a prospect not of an increase of revenue, but of a considerable decrease. Let me also remind the hon. Gentleman, that even on the head of sugar duties (one of the largest sources of revenue), his expectations are not likely to be realised, for although by increased consumption the amount of duties received may not be diminished, still it is most probable that from the article of sugar he will not derive any increased revenue. You are also going to reduce the copper duties, which last year produced 40,000*l.*, and the year before

50,000*l.*; and these things, taken together, indicate that there will be a diminution instead of an increase in the revenue. Really it appears to me as if the right hon. Gentleman is seeking to ape Sir Robert Peel; but he forgets that when Sir Robert Peel borrowed in 1842, that he put on a property-tax, which gave him 5,000,000*l.*, and that at a time when there was something to look forward to. It is true Sir Robert Peel reduced the duty on timber, thus sacrificing 500,000*l.* or 600,000*l.*, and that he made other reductions of duty to the extent of 1,000,000*l.*; but he compensated for the loss by the imposition of an income-tax. The policy of the right hon. Gentleman the Chancellor of the Exchequer inclines, on the other hand, to the increase of expense, without removing any burdens, or without providing fresh sources of revenue. I say, therefore, that he is unwarrantably confident when he looks forward to an increasing surplus revenue to compensate him for his 2,000,000*l.* of deficiency. He is aware that there are no more instalments of China money, and therefore on all hands I say there is every prospect of a diminished income. With regard to expenditure, he tells us that there is a saving amounting to 828,000*l.* upon the various estimates; but that saving will have to be made up in future years. It is not as if he told us that great works would have to be finished this year, but, on the contrary, everything is to be postponed, as a charge upon the future greater than the present charge. Far from thinking we have subject for congratulation, I am of opinion that the right hon. Gentleman's prospects are the darkest and most obscure that can possibly be conceived. The right hon. Gentleman speaks of a prospect of increasing the surplus revenue; but how is he to make amends for his present deficiency, and what will justify this irregular mode of borrowing money by selling stock which he does not possess? When I look at the return that was presented to this House a few days ago, which shows that in the Customs duties there is a diminished receipt of 500,000*l.*, and an increased expenditure to the amount of 40,000*l.* on account of collection, in addition to the salaries of extra custom-house officers and coast-guards to the number of sixty-two, I cannot agree with the right hon. Gentleman in thinking that we can depend upon a surplus revenue in anticipation. But it appears we are to part this year at a period when we might have postponed the budget until next year, and have amalgamated the budget of 1848 and 1849, with the prospect of meeting again in three or four months, with a virtual deficiency of two millions. With such prospects as those—apart from considerations of reductions of expenditure—I must say that I never heard a statement by any Chancellor of the Exchequer less a subject of congratulation, either to the House, to the country, or to myself, than the statement which the right hon. Gentleman has made this night.

MR. J. O'CONNELL wished to say a few words with regard to Ireland. No doubt in some parts of the country the gloomy anticipations which had been entertained would not be realised to the full extent. The potato disease was perhaps not so active or malignant as it had formerly been, but it was to be feared that it was making a steady progress; and it was much to be apprehended that if famine visited the country to anything like the extent that was threatened, the people would be in a most frightful condition, inasmuch as in the year 1846 and 1847 they possessed resources from which in the autumn and winter of 1848 they could not hope to derive any advantage. The case of Ireland was most melancholy; it called for extreme and anxious attention, the more especially as the recent attempts to create disturbance were not the acts of the people, they were merely the proceedings of rash, mad, and criminal persons. As regarded the conduct of the Government, it was in this matter most merciful; and he earnestly hoped that they would continue to show the same spirit.

SIR H. WILLOUGHBY said, all they had heard amounted merely to a postponement for one year of the imposition of fresh taxes, and the only thing Ministers seemed able to do, was to go on borrowing more money. On referring to a paper recently presented to the House, he found that the additions to the national debt, from the 1st of January, 1847, to the 1st of January, 1848, made a total of 7,933,259*l.*; and even that was not the whole deficiency, for the whole of the money sent to Ireland was borrowed, and England imposed upon herself, by that operation, a permanent annual expenditure of 200,000*l.* a year. It was quite evident that the country could not go on in that way much longer; The noble Lord had upon a former occasion said, that when the deficiency amounted to so much as 2,000,000*l.*, that there should be no loan—no petty device; that taxes should be found to meet the deficiency. Now, when the noble Lord was beaten upon the tax that he had proposed, he ought to have submitted to the House some other scheme.

Mr. MUNTZ expressed his regret that, after thirty-three years of peace, a deficiency was still to be met by borrowed money, and by an addition to the national debt. If the expenditure were necessary and just, it ought to be met by existing resources.

Mr. DRUMMOND thought, that the country had come to the *ne plus ultra* of taxation; and he trusted that the Government would at a future period be prepared to come forward with some plan adequate to the exigencies of the time. The imputation thrown out by any Irish Catholic bishop, that this country intended to starve the Irish people, though it might be passed over with the phrase that it was all "Tullagh-hill talk," was in plain, honest Saxon, nothing but a wilful and deliberate falsehood.

Lord J. RUSSELL observed, that there was no ground to suppose any reason why, with the reductions that had been made, and those that might be undertaken next year, the ordinary expenditure should not be reduced to the income of the country. The hon. Member for Montrose had said, that the Chancellor of the Exchequer had not stated that any further reductions were to be made; but there had been in various debates declarations made by himself (Lord J. Russell), by the hon. Secretary to the Admiralty, and by other Members of the Government, that on every possible occasion reductions would be made with the view of bringing the expenditure within the income. At the same time, he did not at all regret having, in the present year, kept up the naval and military forces at the point at which they were now maintained. When complaints were made of the great amount of the Navy and the Army, he must say, that considering the events which had occurred on the Continent, considering the excitement which such events were likely to produce in this country, giving encouragement to misguided men to imagine that they had only to go out into the streets with knives and pistols in order to effect a revolution, and considering the attempts made in Ireland, he should have been sorry if, for the mere purpose of popularity, the Government had proposed reductions in the Army and Navy. He did trust, however, that circumstances would enable the Government to make further reductions. With regard to the statement made by the hon. Member for Limerick, he must say, that the Government claimed the confidence of the country for their intentions. He hoped that the potato failure was not so great as was apprehended a week ago, though he admitted that there was still ground for fear and alarm on that head.

Resolutions *agreed to*:—"That towards making good the Supply granted to Her Majesty, the sum of 10,584,871*l.* 19*s.* 10*d.* be granted out of the Consolidated Fund of Great Britain and Ireland. That there be issued and applied to the Service of the year 1848 the sum of 41,786*l.* 19*s.* 9*d.*, being the Surplus of Ways and Means granted for the Service of preceding years. That the sum of 500,000*l.*, being part of the sum in the Exchequer of the United Kingdom, a balance from the services of the years 1846 and 1847, be applied to the Service of 1848."

SCHLESWIG-HOLSTEIN.

On the question that towards making good the supply the Commissioners of the Treasury be authorised to raise 2,000,000*l.* sterling, either by the issue of Exchequer-bills, or by the creation of Consolidated 3 per cent Annuities, or Reduced 3 per cent Annuities,

Mr. DISRAELI observed that when the Chancellor of the Exchequer, in the course of his statement, painted in rather gloomy colours the situation of the country, he not only referred to the bad harvests we had experienced, but especially to the disordered state of Europe; and one of the reasons assigned by the right hon. Gentleman for the disadvantages under which this country at present laboured was the blockade in the Baltic, which he spoke of as likely to last for a considerable time. That blockade, as was well known, occasioned great loss, and inconvenience, and injury to our merchants. He had before called the attention of the noble Lord and of the House to this subject, and especially to the fact, that, when the blockade was renewed, it was renewed under much more stringent and severe conditions. He had formerly inquired whether Her Majesty's Government meant to fulfil a guarantee which this country had given to Denmark for the possession of Schleswig, and he quoted the treaty, which was very decided in its language, and which appeared to him scarcely to admit of doubt. The noble

Lord (Lord Palmerston), however, said that it was possible the guarantee was not so very decided, and he hinted at two or three modes of interpretation which might leave it open to this country to free itself from the force of that guarantee. But since he brought the question of the guarantee before the House, the whole of the diplomatic correspondence which took place between the English Secretary of State (Lord Stanhope) and our Ministers at the Court of Copenhagen (Lord Polwarth and Lord Carteret), which had been found in the State Paper Office, had been published by a learned Dane, and the nature of the guarantee was no longer a matter of doubt. It was a guarantee which this country was as much bound to fulfil as it was bound to pay the interest of the national debt. He believed, that if when he (Mr. Disraeli) called attention to the subject, the noble Lord had acknowledged the weight of that guarantee, and had taken a decided course, they might have avoided some of the great inconveniences and injuries they had experienced. The noble Lord had boasted, the other night, of the good understanding which existed between Her Majesty's Government and the powerful Government of France. Now France had acknowledged the force of the guarantee of 1720; and he (Mr. Disraeli) thought the noble Lord could not do anything more sensible or just than to act in concert with that Government with reference to this guarantee, and by taking a decided course to terminate the vexatious blockade which the English merchants could no longer endure. The noble Lord had on a former occasion made a statement which gave an impression that the armistice which had originally been agreed to would be carried into effect by the Prussian Government; but he had since admitted that the hopes and expectations he had permitted the commercial world to indulge in, had not been realised. As the Chancellor of the Exchequer had so specifically alluded to the blockade, a good opportunity was afforded to the noble Lord to give the House some information on the subject. He wished to know what was the present state of the question; whether the armistice was going to be fulfilled; whether any arrangement had been made between Prussia and the German Confederation which would allow Prussia to act independently; whether Prussia could act independently; what was the nature of the relations subsisting between the Court of St. James and the Court of Berlin; and whether there was any probability of a termination of the blockade of the ports of the Baltic and the North Sea?

Viscount PALMERSTON did not undervalue the importance of the subject to which the hon. Gentleman had called attention; but he was sure both the hon. Gentleman and the House would feel that, although it might be right on proper occasions for Ministers in that House to give full explanations with regard to matters in which the British Government alone was concerned, yet that it might not be altogether competent or proper for them to afford full explanations with respect to transactions between other Governments, in which transactions the English Government was only incidentally concerned. He must certainly admit that he had been very much disappointed with regard to the armistice. On several occasions he had held out to the House hopes and expectations which had not been realised; but he could assure the House that this had not arisen from any want of activity or earnestness on the part of Her Majesty's Government. The transaction in question was one in which many parties were concerned—the Danish Government, the Prussian Government, and the Government, varying from day to day in its character, at Frankfort, beginning with a Diet, passing into a National Assembly, and ending in a Vicar-General of the empire. The question had thus been embarrassed and complicated by the varying disposition and character of the Central German authority. If he were to go into details, he would have to explain the transactions which had taken place between the German authorities at Frankfort and the Government of Prussia; and he did not think, if he entered into those details, that he would advance the object they all had in view—a satisfactory solution of the Schleswig-Holstein question. He might, however, state generally, what he believed was in substance pretty well known, that the terms of an armistice between the Government of Prussia and the Danish Government were substantially agreed upon; that those terms were considered by the Prussian Government to require the assent of the Frankfort authority; and that that Frankfort authority had coupled the ratification with certain conditions which had for a time created delay and difficulty. He still hoped, however, that there might be, on the part of all concerned, a sufficient sense of the absolute necessity and paramount importance of bringing about, without further delay, a satisfactory settlement of the armistice, and, as resulting from it, a settlement of the Schleswig question. With regard to the guarantee of England, what he had endeavoured to point out on a former occasion was, that the present position of matters could not bring that guarantee into operation. In the first place, England was at present acting in some degree in the capacity of a mediator; and Her Majesty's Government could not combine the functions of a mediator with those of a party in the cause, which they would do if they undertook to act in pursuance of their guarantee. In the next place, the question at issue was not whether Schleswig was to be wrested from the King-Duke to whom it belonged, it was a question complicated in its nature, but of a different kind—namely, what should be the internal administration of Schleswig—whether it should be, as the Danish Government wished it to be, a constitution combined with that of Denmark, or as the German party wished, a constitution combined with the Duchy of Holstein? It was not therefore a question of conquest, or of the forcibly wresting of a territory from a sovereign, but of the internal organisation and administration of the duchy. He trusted, however, that the good sense which he hoped animated all the parties concerned, would lead to a satisfactory settlement of the question without bringing into operation the guarantee, the existence of which he did not deny, but which, in his opinion, did not at present bear upon the practical question at issue.

Mr. DISRAELI said, the noble Lord had informed them that, under his advice, the Crown of England had accepted the office of mediator. This being the case, he (Mr. Disraeli) wished to know how it was that, during that mediation more than 40,000 men, being different contingents of the German empire, had arrived at the seat of war—a circumstance which had led to the renewal of hostilities and to the revival of the blockade? He thought that, the moment such a hostile demonstration took place, the noble Lord was perfectly free to drop his position as a mediator, and to enforce the stringent character of the guarantee.

Viscount PALMERSTON: Undoubtedly, if Her Majesty's Government had thought fit to declare war against Germany, it would have been perfectly easy to say that they would cease to be mediators, and would become belligerents; but that was not a course which it was deemed advisable to adopt. They accepted the mediation at the request of Denmark, and with the consent of the other party; and so long as they saw any prospect of settling the question amicably by negotiation, he thought that was the best course to pursue.

Mr. COBDEN happened to be one of a deputation from Manchester who waited upon the noble Lord (Viscount Palmerston) some months ago upon this subject. They stated the vast importance to them of the trade with the Baltic and Hamburgh, and they urged the noble Lord to act the part of the mediator, and not to change this character for that of belligerent; and the noble Lord would best meet the wishes of the manufacturing community if he could with honour maintain his present pacific posture of mediator. Now, as to the vote before the House, this was, after all, a little loan; disguise it as they might, call it selling stock or issuing Exchequer-bills, still they were going to add to the permanent debt of the empire. But they would not act thus as individuals; individuals, if they had not the money to spend, would retrench, and diminish their expenditure. A reduction of 800,000*l.* had been made since framing the estimates; was it not possible to retrench a little more, rather than increase our debt? He measured the strength of this empire more by our finances than by our armaments or number of ships; and he must maintain that if we added 2,000,000*l.* more to our permanent debt, then, in spite of all our military and naval force, we should present ourselves in a crippled position before the world. Nor was he sure that the Chancellor had told the House the whole case for the next year in regard to expenditure; and that all these marchings and countermarchings in Ireland, all these encampments and increased fortifications, would not end in a very heavy bill being brought in next spring. It was very well to say that the Caffre war was a casual expense that would not occur again; but we had an Irish war and an Irish famine staring us in the face. But if we spent all we could get, and ran into debt besides, we should always be finding some casualty arising and telling against us. The Chancellor of the Exchequer stated that he was insolvent, and yet he could make loans to

Trinidad, to Tobago, New Zealand, and to the gentry of Ireland to improve their estates. We were just running the career which other nations had run, and which in the case of another nation we should condemn, but to which, in our own case, we seemed blind, and ready to treat England as if it had a charmed existence. That majority of the House, which in the spring refused a reduction in our armaments, and passed a vote authorising the expenditure, was bound to resolve to raise the money—to raise it during this Session, and to raise it by an additional tax, whatever discontent it might create.

Resolution agreed to.

House resumed.

House adjourned at a quarter to Two o'clock.

HOUSE OF COMMONS,

Saturday, August 26, 1848.

MINUTES.] PUBLIC BILLS.—1° West India Colonies and Mauritius; Exchequer Bills; Consolidated Fund.

2° Post Horse Licenses, &c.; Postage on Newspapers (Channel Islands, &c..); Lock-up Houses; Drainage Certificates.

Reported.—Diplomatic Relations with the Court of Rome; Battersea Park, &c.

PETITIONS PRESENTED. By Mr. Maxwell, from the Parish of Killersherdiney, in the County of Cavan, for Encouragement to Schools in Connexion with the Church Education Society (Ireland).—From the High Sheriff and Grand Jury of the County of Mayo, for an Alteration of the Poor Law (Ireland).

WAYS AND MEANS.

Resolutions reported.

MR. HUME, referring to the resolutions, and to that part of the Government proposition which related to the raising the 2,000,000*l.* on Three per Cent stock, said that he objected to all borrowing, which, in itself, was a proof that the country had reached the *ne plus ultra* of taxation. Various additions had now been made to the debt of the country during past years, in time of peace; though that was the period when they ought to be considering how to lessen the charge. Had the House adopted his recommendations in favour of retrenchment, there would now be no necessity for the present loan. Moreover, he thought that one of the proposed modes of raising the required sum was ruinous, for borrowing on Three per Cent stock would be binding the country to pay 100*l.* for every 86*l.* lent. He should therefore move to strike out of the last resolution all the words relating to that part of the proposition, and to insert in lieu of them the following words—" on debentures at a rate of interest not exceeding 5 per cent,"—thereby leaving to the country the opportunity of taking advantage of the future state of the money market.

The CHANCELLOR OF THE EXCHEQUER could by no means assent to the proposition; all who had preceded him in the office which he had now the honour to hold, had taken the course which he now proposed to take—all loans had been raised upon similar principles, and he saw no sufficient reason for departing from the existing practice.

MR. HUME merely wished to place his opinion on record, and he did not desire to do more than to divide upon the Bill.

Report agreed to.

The House adjourned at Eight o'clock.

HOUSE OF LORDS,

Monday, August 28, 1848.

MINUTES.] PUBLIC BILLS. — 1ª Dublin Police; Poor Law Auditors Proceedings Restriction; Battersea Park, &c.

2ª Sheep and Cattle Importation Prohibition; Sheep and Cattle Contagious Disórders Prevention; Labouring Poor (Ireland); Sugar Duties.

3ª and passed:—Poor Removal (No. 2); Petty Bag, &c. Office (Court of Chancery); Commons Inclosure (No. 2); Poor Law Union Charges (No. 2).

SUGAR DUTIES BILL.

Order of the Day for Second Reading read.

EARL GREY rose to move that the Bill be now read the second time. One of the objects of the measure which he now intended to bring under the notice of their Lordships was to alter the Act of 1846; and the necessity for making such a change had been very greatly strengthened by the constantly-increasing distress of our sugar-growing colonies. It was not his present purpose, however, to occupy their Lordships' attention by any lengthened discourse; though, if he had been called upon to address them upon this subject at an earlier period of the year, he should, perhaps, have not thought it unfitting to enter into the question of the sugar duties much more in detail than he had now any intention of doing. Looking at the protracted duration of the Session — remembering how few Members of either House still remained in town—considering, also, how much discussion had already taken place on the subject of those duties—he should abstain from saying more upon the present occasion than was absolutely necessary.

He felt that it was scarcely requisite for him to go over any very great portion of the ground that had already been travelled in making known the evidence upon which the provisions of the Bill were founded—it had been shown, as he conceived, beyond any doubt, that the policy hitherto pursued with regard to those duties could no longer be safely continued. It had been proved, as he believed in the clearest possible manner, that wages which had been raised to an excessive height by an artificial system of duties had proved deeply injurious both to the planter and the labourer. As far as he had been able to ascertain, the condition of the negro had not been in the least improved by the great increase of payment which he now received. In one of his despatches, dated the 3rd of May, the Governor of British Guiana said—

> "Estates worked by advances from England were a lottery, in which every one struggled to obtain a prize at the expense of his neighbour. Hence, labourers were seduced from one estate to another; higher wages were the result, which, in the end, have absorbed the resources of the employers. The labourers are enriched; the owner has been left penniless. Had the diminution of wages taken place in 1847 rather than in 1848, many estates now jeopardised would, perhaps, have escaped; for the crops were large enough to have given profit, had expenses of labour not aborbed it. I consider it a great disadvantage to the progress of civilisation that the Creoles, young and old, have hitherto been enabled to earn, by two or three days' labour of six hours or seven hours each per week, more than sufficient maintenance; they are thus induced to irregular habits; they shoot, fish, and lead a wandering life. Planters cannot regulate the work on their estates as farmers do in Europe; they are subject to the caprice of the negro—continuous labour cannot be had—the crops fail, while the liabilities increase—and there are not a few of the nominal possessors of property who are ground to the earth by the debts accumulated annually, from the enormous interest which the habits of West Indian dealings have introduced."

From these despatches, as well as from the evidence adduced upon the subject of the sugar duties before the other House, it was clear that high wages had not been conducive to the welfare, but had greatly increased the demoralisation of the negroes, and that that evil state of things had been greatly aggravated by cultivation extended beyond its legitimate limits, and by competition carried on to a mischievous excess; and, what was worse, carried on upon borrowed capital, and at such inordinate charges as were wholly inconsistent with a sound mercantile system, or with legitimate mercantile profits. The effect of the protecting duties had been to stimulate artificial production in a manner that was most injurious to fair and legitimate trade; and for the proof of that, he might refer to the papers which had been laid upon the table of the House. From those it appeared that in the Mauritius during the five years which elapsed from 1820 to 1824 inclusive, the produce had been 22,000,000 of French pounds; that in the subsequent five years it had risen to 42,000,000 lb.; that in 1830 it was 68,000,000 lb.; and in 1832, the year before the emancipation, it rose to 73,000,000 lb.; and since the emancipation of the negroes, it had risen still more rapidly. In 1840–1, it had advanced to 76,000,000 lb.; and last year, 1847, it had reached the great amount of 133,000,000 lb., being an increase of sixfold in twenty-five years. Then there had been a great increase in the rate of wages, in spite of increased immigration; and, after all, the labour market was by no means well supplied—the employers were bidding against each other, and the necessary consequence of that condition of affairs was most injurious to the great body of the planters. It was impossible that this state of things could go on; and he found in the despatches of Sir W. Gomm, the Governor of the Mauritius, that he had foreseen the calamity. The report of the Committee of Council, dated February 19, 1845, stated, that "the crops of the five years from 1820 to 1824, averaged only 22,000,000 lb.; those of the subsequent five years, only 42,000,000 lb.; in 1830, the crop had risen to 68,000,009 lb.; and, in 1832, to 73,000,000 lb." In a despatch dated August 24, 1846, Sir W. Gomm wrote—"I cannot be blind to the facts that, with the supply of labour in the colony, 80,000,000 lb. were with ease gathered in from the crop of 1844-5; that 100,000,000 lb. and upwards have been in like manner shipped of that just completed; and that many look with a full confidence to realising 120,000,000 lb. from that already in progress. Nor can I be without my apprehensions that, should a dark day arise, in succession to these consecutive seasons, the ever-increasing cultivation of the soil, supported, and indeed set on foot exclusively, by foreign aid, must bring extensive embarrassment." He had read these extracts to prove that it had been foreseen at the time by Sir W. Gomm that the great increase which had taken place in the produce was not a healthy increase; that it had been stimulated by the artificial system which had been pursued; and this cause had not only affected the Mauritius, but had affected our colonies in the west, which had been carrying on cultivation with borrowed capital, upon which the charges were of the heaviest kind; for, the trade being a hazardous one, the charge must be enormous. The artificial cultivation of sugar was increased by another circumstance; the merchants at home, who advanced money for the extension of the cultivation in the colonies, were themselves trading far beyond their own capital, and trusted more to credit than to capital. In this manner was the production of sugar artificially increased. Without reading any further statements, he thought he had shown that by this forced and artificial system—by the competition of the planters with each other—was the production unnaturally increased, and the wages of the labourer were raised. But let it not be supposed that he blamed these parties; he did not think them blameable; he thought them imprudent, but their imprudence was as nothing compared with the imprudence of Parliament. The two Houses of Parliament were responsible for having fostered and encouraged this unnatural system, which could have led to no other result. Looking to the future, however, in his opinion, notwithstanding their actual and immediate distress, there was a fair prospect of reasonable profits in our sugar-growing colonies under a better system. He admitted the extreme severity of the existing distress, and he deplored as moch as any man the calamities which had visited so large and respectable a class. Then with respect to the future, he had ventured to predict that, if protection were withdrawn, and the system of cultivation was placed upon a proper footing, wages would inevitably fall; and that prediction had been verified. With regard to the comparative cost of free and slave labour, he had met the other day with a statement in a Mauritius newspaper, the *Mauritius Mail*, in which the writer said—"We asked one of our most experienced planters, to whose opinion every one who knows him will bend, which he preferred; and he laughed at us for the question. 'I had a choice band of slaves that were attached to me,' he said, 'for I occupied myself about their welfare; all they did is now easily surpassed by a band of the same number of Madras Indians.'" He was completely confirmed by the experience of the planters in the Mauritius that free labour in that colony was decidedly cheaper than slave labour in Cuba. There was only one of the colonies in which this was not the case, and it was singular that it was the very colony where the wages were highest. In Guiana the labourers strenuously resisted the reduction of wages, and no wonder; they had been spoiled by the extraordinary high wages they had received owing to the forced and artificial system adopted by the planters. In Barbadoes, Antigua, and other colonies, with less natural advantages, where wages had not been so extravagantly forced up, they had been much reduced, and a more natural and wholesome relation had been established between master and labourer. The report of the stipendiary magistrate of Antigua for the half-year ending December 31, 1847, stated, "The number of young persons employed in field labour has increased during this half-year, and I confidently repeat my conviction that in a few years a numerous native peasantry will arise to cultivate the soil and supersede the necessity of emigration. The reduction of wages has had the effect of bringing more labour into the market." He stated that there was an increased amount of deposits in the savings banks, which was one evidence of increased industry amongst the labourers. Another effect which he had predicted was the diminution of the cost of production, and improvements in the cultivation and manufacture of sugar, which would be caused by competition; and on this point also he was able to prove that he had not been deceived. Sir Henry Light, Governor of Guiana, in a letter dated the 25th of June, 1848, enclosed a document from Dr. Shier, stating that the subsoil draining of canefields in Demerara in comparison with a neighbouring field under common cultivation, had given an increase of produce of 100 per cent in the former as compared with the latter, though under very great disadvantages. "I believe," he said, "that the planters are beginning to open their eyes on the true protection, namely, better cultivation; but very few have the means of standing the outlay necessary for this new mode of cultivation." As to manufacture, Sir H. Light said, in his despatch of February 14, 1848, describing the success of Dr. Shier's improvements, "Nothing can equal the slovenly, unscientific way in which sugar is made on those estates on which the common process is used." Lord Harris, in a private letter, dated the 21st of July, 1848, after describing the importance of improved cultivation, stated, with regard to the manufacturing process, "A report was received by the last packet of prices set on some samples of sugar made on the day, at the same estate, and from canes taken from the same field—value of sugar made by Dr. Mitchell's process, 47*s.* per cwt.; by old process, 36*s.* per cwt.: there being no increased expense, and nearly double the quantity of saccharine matter extruded." These statements sufficed to show that there was in our colonies a great capability of improvement. He now proceeded to show that even under the pressure of existing difficulties the sugar cultivation was in a process of improvement. In British Guiana he found that, in the first six months of 1848, the quantity of sugar exported was 21,528 hhds.; and, in 1847, for the corresponding period it was only 19,120 hhds.; showing an increase of 2,408 hhds.; that the export of rum for the first half of the year 1848 was 11,653 puncheons, while for the similar period of 1847 it amounted only to 7,266; showing an increase of 4,387. On the other hand, the exports of molasses in 1848 were 4,167 casks; and in 1847, 6,552 casks; a diminution of 2,385 casks, or more than one-third. Now, when it was considered that the quantity of molasses depended upon the imperfection in the process of the manufacture of sugar, the diminution of the export of the refuse article showed an improvement in the mode of manufacturing the sugar. There was, therefore, an increase during the first six months of the year 1848 over the first six months of 1847 in the export of rum and sugar, the manufactured article, and a decrease in that of molasses, the refuse article. In Trinidad, Lord Harris, in his despatch, dated the 19th of June, 1848, said, "Matters are now as nearly as possible at their worst; artificial assistance will do little or nothing. Those who have energy may still continue to cultivate the soil; by improvements, by advances in scientific cultivation, or by economy, I believe they may still succeed. The number of acres in cultivation will be less, the crop will diminish in quantity, but it will not be the less lucrative; I believe more so, and a natural state of things to producers, which will place matters upon a more wholesome footing." Bnt there were already hopes in this island that improvement had begun. Lord Harris said—"Up to July, 1847, very great facility generally existed in procuring both money and bills, but neither a cheap nor good sugar was the result; on the contrary, it is notorious that now, for the first time, will the character of Trinidad sugar change in the estimation of English buyers, as a very great improvement has taken place." This was the 20th of June, 1848. In Antigua, Governor Higginson wrote (June, 1848), that there were glimmerings of returning confidence; that wages had fallen from 1*s.* 10*d.* to 6*d.* a day; and he said, "The prevailing opinion here undoubtedly is, that unless free-labour produce be protected, the majority of estates must be abandoned; but I incline to believe that the worst has passed." He trusted that he had proved that the old protective system was essentially an unsound one; and although the return to a better and a healthier state of things might be attended, and unfortunately was attended, with no small pressure and distress—still he believed that that change bore in it the seeds of prosperity, and well-grounded hope for the future. But if this was his opinion, he might be asked on what grounds he justified the Bill, the second reading of which he had now to move? The object of that Bill was to extend to a longer period, and grant to a greater extent, the protection and privileges accorded by the Bill of 1846 to the British sugar-growing colonies; and the grounds on which he thought such a measure justifiable were these:—In the first place there existed amongst the sugar growers a panic, which, if not checked, must lead to the most disastrous results. His own opinion was, that this panic was a groundless one; but the planters had been so long taught to rely on protection, that he could not be surprised at their considering the withdrawal of that protection as equivalent to ruin. Under the influence, then, of this panic, it was probable that the planters would have adopted a course which must inevitably have led to great injury, not only to themselves, but to the empire. They would, if something were not done, in all probability have abandoned their estates, and discontinued a species of cultivation which could not be resumed except at an immense sacrifice of capital. But, besides, it was now confessed on all hands, that the amount of advantage intended by the Act of 1846 to be conferred on the colonists, had not, as yet, been fully or practically realised. These circumstances justified the grant of some relief to the

West Indies. The principal provision of the present Bill was this:—there was to be interposed between the duties on white clayed muscovado, another rate applicable to brown clayed, and that was the duty which would be paid by the majority of foreign sugars introduced into this country. The measure, while it conferred considerable advantages upon the British producer, he felt confident, would not have an injurious effect upon the revenue. Among the measures introduced for the benefit of the planter, were the reduction of the differential duty upon rum, and a loan of 500,000*l.* He could have wished that this sum were larger, but the financial difficulties of this country rendered the grant of a larger sum an impossibility. Had they attempted more, they would have effected less. They were not true friends of the colonies, who represented the Government of this country as slow to sympathise in their difficulties, and as unwilling to assist them. He was convinced, had they returned to the system of protection, that they would also have returned to all those evils which had grown up under that system. They would have raised the price of labour, and they would have raised hopes which could not have been realised. He earnestly hoped that these measures would be accepted in the same spirit as they were brought forward, and that the colonists would not be led astray by the evil advice of those who would teach them to suppose that Her Majesty's Government were not as deeply interested in endeavouring to relieve them and to promote their permanent prosperity as any other party in the kingdom. If he could have been really persuaded that a system of protection would have been for their permanent advantage, notwithstanding the heavy expense which it would have entailed upon the country—notwithstanding that it would have been so much at variance with the opinions which he had maintained ever since he entered Parliament—he would have advocated its adoption. It appeared to him that a system of protection would have been even more fatal to the planter than injurious to the interests of this country. The colonists should look for their ultimate and permanent prospects, not to Parliaments or to Governments, but to their own industry and enterprise; if they relied upon themselves, he had no doubt of their ultimate triumph over the difficulties which now surrounded them. In conclusion, he could not help pointing out how seriously their difficulties and dangers would be augmented, should they listen to the evil advice proffered to them from some quarters; of having recourse to violence and rash proceedings, in the vain hope of inducing Parliament to alter that policy which, in its deliberate wisdom, it had determined to adopt. Agitation in the colonies upon the question of a return to the system of protection might have a powerful effect in discouraging further influx of capital, and in keeping up the alarm and uneasiness which had already been excited in some places; but they must be blind observers of passing events and of the steady current of public opinion in this country who believed that such proceedings would have the hoped-for effect of inducing the Legislature to alter the policy which, in this respect, it had adopted. To that policy he was convinced the great majority of this country were irrevocably pledged. The noble Earl concluded by moving, that the Bill be read a second time.

LORD REDESDALE: If the Government desired to retain the colonies in the bonds of loyalty and affection, they should impress upon their minds that they were legislated for with a deep feeling for their true interests. This was the only course which should be pursued, and in observing this he could not help regretting the concluding observations of the noble Earl, as he thought it was rather heartless to allude to the miseries and sufferings of the colonists in the manner he had done, especially as they sprung from the policy of the present Ministry. He did not like the system adopted for the relief of the West Indies. Instead of advancing them half a million of money, which would never be repaid, it would have been much better to have given them protection by increasing the duty, thereby benefiting the revenue of this country. He blamed the Government for having lost three weeks of the Session by the blunders which pervaded the Bill; and he considered that due courtesy was not shown to the House of Lords in introducing a measure of so much importance at such a late period. It had been too much the custom latterly to do so, and he therefore protested against it. He would not oppose the Bill.

The EARL of GRANVILLE: The Bill had been introduced at a late period, in consequence of the sitting of the Committee appointed to inquire into the subject, and the protracted nature of the debates in the other House of Parliament. When they remembered the general commercial distress which prevailed, they could not wonder that the manufacture of sugar, a commodity of such a variable character, should also suffer.

LORD DENMAN wished to express the reasons for that satisfaction which he felt that this Bill had been introduced to the Legislature by Her Majesty's Government. The principal was, because it was in direct opposition to the Act which, two years ago, he thought it was most disgraceful to this country to have passed. That Act, said to be based on "the just and eternal principles of free trade," announced as the final settlement of an embarrassing question, had enjoyed an eternity of two years and seven days, and was now repealed by its authors. That Act had proceeded on non-protection by differential duties: this Bill revived and prolonged protection. This Bill was, therefore, the proof that the Act of 1846 had failed—except, indeed, in one effect, predicted by those who opposed it, the increased stimulus and encouragement afforded to the traffic in our fellow-creatures—an effect produced by the increased demand for slaves; by the increased activity of the traders who provided the market; and still more fatally by the opinion it had caused amongst the nations of the world, that England had grown indifferent on the subject of that detestable traffic. He was happy to hear from the noble Lords, that hopes were still entertained that our colonies might recover their prosperity. But he was perfectly confident that could only be by means of the extinction of the slave trade; and whoever would calmly consider the evidence which had been given by the most reluctant witness on that subject, would be convinced that that was the case. He rejoiced that the observations which he had addressed to the House a few evenings back, had attracted some portion of the public attention, for if the mind of the people of England were brought to bear upon the subject, and if inquiries were pursued by enlightened men who formed the public opinion, who were anxious to obtain the truth, he had not the slightest doubt that the slave trade would be speedily extinguished. And the question was not only of vital importance to the general interests, but it pressed for immediate decision, and an effectual remedy. The supply of slaves could not be less than 200 men a day; and every day that this consummation was delayed, 200 men were exposed to all the iniquities and cruel practices which are inseparable from slavetrading. His observations had been ascribed to a personal interest in this matter, because one who was very dear to him was actively employed in its suppression. That circumstance had not, however, the slightest influence on his opinions, formed and matured as they had been long before the birth of that individual. The professional reputation, too, of that officer, though connected with his proceedings on the coast of Africa, rested on the past, and was wholly independent of the measures to be adopted by Parliament; and he believed he might safely leave his reputation to take care of itself. It had been said of himself, with the same view, that he was a leading Member of the Anti-Slavery Society. It so happened that he never was a member of the Anti-Slavery Society; he never even subscribed to it, he never attended their councils. He should be proud to boast of that association if it had existed, but other duties rendered it impossible. These trifling errors, in respect to himself, were followed up by a very formidable attack (said the noble Lord) made by a newspaper of high reputation and great name, and which is supposed to have lately passed into the care of a noble Earl, a person of great and high talents and attainments, and connected with a still more important personage. The noble Earl was also a Member of the Committee which inquired into the slave trade; and the proceedings of the Committee are in some degree disclosed in the same article. It is in the *Morning Chronicle* of the 24th. Therefore I feel anxious as to what your Lordships may think of this. I am accused of injustice and illiberality, under the mask of justice and humanity, and even of calumny. Calumny is a strong word; but I do not complain of it, for I perceive the sense in which it it used by the writer. The calumny is, not that I stated anything untruly, but that I made strong observations on the evidence of a party who stated himself to have been a slavetrader. If I had incorrectly charged Dr. Cliffe with being a slavetrader, I should plead guilty to uttering the worst of calumnies; but when he himself confesses, or rather boasts, that he has been a slavetrader, the character affixed to that crime is not affixed by me but by the law. The law of England proclaims him a pirate, a robber, and a felon. So does the law of America, where he was born; so do the public acts of the Brazilian empire, where he is domiciled. But this newspaper, by whomsoever edited or supervised, thinks proper to make the defence of this gentleman. They state that he is a most honourable man; that this honourable man has been a slavetrader, he and his eulogist admit; but he adds, that he has ceased to be such. On no uncommon principle of deciding on the credibility of evidence, respecting the witness himself, I believe what he confesses; but I do not believe what he states in his own favour. I believe that he continues to be a slavetrader, because his evidence is plainly calculated to promote the gain of slavetraders. I do not believe that he has ceased to be one. He expresses that he is still a slaveowner; and what reason do your Lordships imagine that he offers for giving up his trade? Why, he abstained from motives of humanity, because he was so shocked at the horrors which were committed, that his delicate nerves would no longer allow him to proceed in it. These horrors, however, he takes care to impute, not to his brother slavetraders, or himself, who were the persons practising them, but to our squadron, in the attempt to suppress their iniquity. Is it impossible, if he left the trade, that our squadron drew him from it? Have I no right to examine the history of a witness who comes to offer voluntary evidence before a Committee, as to his former conduct? Am I not to judge from his own story whether he is entitled to be believed? He declines on two or three occasions to enter into particulars which the Committee ask. He says, if I were to tell you, I should lead an uncomfortable life in the country to which I am going; if I were to let out the information I possess, you would spend more money in your vain efforts to put down the slave trade. He tells no fact which it is useful to know, and merely repeats the opinion that we cannot suppress his trade. I am asked, in the same article—would you not, as a Judge, hear the evidence of a person who has ceased to be a thief? I would hear the evidence of any man, whether he had conquered his thievish propensities or not; but if, instead of stating facts, he offered counsel how I should suppress crimes in which he had himself been engaged, and he should advise me to let them be carried on to any extent to which high profits would tempt, I should know whether I was dealing with one who had those profits in his eye. My noble and learned Friend, who is absent (Lord Brougham), is violently attacked in this newspaper for having called this witness the pet and darling witness of the Committee. My noble Friend (Lord Eddisbury) who, when in the House of Commons, was a Member of the Committee, knows that a great many questions put in the report are more instructive than the answers; many of them proposed to Dr. Cliffe, betoken a remarkable degree of favour to his opinions; and nearly all his answers are in a tone which argues confidence in the partiality or credulity of those to whom they were given. Another proof that this gentleman was the pet and darling witness, was stated by Lord Brougham, though not perhaps reported, that after a British officer had declared his opinion, this person was called upon to confirm it by his sanction. The officer's opinion had been unfavourable to the means employed for suppressing the slave trade; and the quondam slavetrader was asked by an hon. Member of the Committee (Mr. Jackson) to sanction that opinion as common sense and practical wisdom, and opposed to wild theory—that opinion, by the way, being a speculation on what had not taken place, and the wild theory being a description of conduct which had succeeded in crippling the slave trade. Another proof of the favour lavished on this witness, was, that a paper of small print but great length, handed in by him as supplementary to his evidence, was printed twice over in the report of the Committee, which had refused to British officers the opportunity of correcting some mistakes which had arisen in reporting their statements. To my noble and learned Friend, now absent, these observations are due. And it is due to both of us to declare that our observations on this witness were prompted by no personal feeling towards him, but solely by the fear that his evidence might so influence the Committee as to cause unutterable misery to millions of our innocent fellow-creatures. The noble and learned Lord then made some further comments on the evidence given before the Committee. Doubts had been raised whether the slave trade was piracy. If not piracy, it was a still more atrocious and infamous crime; and he thought one simple consideration proved it, for the great evil of piracy was the perpetual danger to life and limb, from personal conflicts. But that danger and those conflicts were the constant companions, nay, the daily practices, and the direct object of the slavetrader. It was needless, however, to heap reproaches on the trade; all men in this country write and vie with each other in inveighing against the "accursed traffic—diabolical trade"—familiar designations, as glibly repeated as the courteous epithets applied by Members of either House of Parliament to each other. All admit that it is a nuisance to be put down; but how? Those just invectives will not put it down. The only other mode, complacently suggested, he understood, by high authority, was to make it, by its excesses, work its own cure. Within what time is this operation expected to succeed? In ten years, or six, or five?—the longest of these limits is less than the most sanguine have ventured to fix. But even for the shortest, Africa is to go on enduring, and Europe tolerating, this most enormous of evils, with increased and accumulated aggravations. And by what means is success to be attained? The means thus coolly contemplated are insurrections of the slave, and the massacre of the masters! The indulgence of all the worst passions, exasperated by the sense of the most hideous wrongs! Insurrection would most probably be vanquished by the superior powers of civilised men, and oppression become more grievous. If it succeeded, are we sure the slave trade would be extinguished? The insurgent negro, if triumphant, might be tempted to the same career which had conferred wealth and power upon his master, and the slave trade, in savage hands, rage more fierce and bloody than ever before, for all time, and over a boundless region. He would now contend, that if all regard to justice and humanity were to be cast aside—if man was merely a money-making animal—and if the principles of free trade could be consistently invoked for the protection of slavetrading, prudence itself would enjoin us to persevere in our resolution to suppress that traffic. The great practical argument against this course is, that the Brazilian slavetrader may bid us defiance, and secure success to his adventures in our despite. But if he does so, his piratical force will sweep those seas, and soon place all the trade of the world in that quarter at his mercy. With no more respect for the white merchant's bales than for the bodies of the negroes, he has often turned pirate in the more ordinary sense, and has even dared to fire into an English man-of-war; while, on the opposite coast of Africa, he has annoyed those of our countrymen who carry on a legitimate trade with that vast and fertile continent, has burned their factories, and baffled their commercial operations. This branch of the subject has hitherto been little touched, but is full of instruction. The evidence of Mr. Hutton before the Committee is especially deserving of notice. And obviously, the marauding of the slavers off the two coasts may soon require a much more expensive armament than the squadron now engaged in the gradual diminution and final extinction of the traffic. These remarks he submitted to the House on the present occasion, because the Bill, though proper, as far as it went, in providing protection for the colonies, fell lamentably short of the requirements of the case. They could only flourish by destroying the felonious competition which now prevailed over them. How was this trade to be put down? They all called it accursed; they all said it was atrocious. What, then, was it they were to look at? They were to look at the next six or eight years, when there would be a great glut, a great demand for slaves, and subsequently an insurrection of those slaves, and a massacre of all the white proprietors. Who could contemplate that without horror? After all, would it abolish slavery? The slaves consisted of various nations, and were often in a state of absolute hostility to one another. The massacre would not be confined to the whites; it would be the destruction of all. He requested a most attentive perusal of the evidence given before the Committee, particularly the evidence of Mr. Hutton, who showed what the conduct of the slavetrader was. When the slave trade was got rid of, legitimate trade would flourish. It was clear that the slave trade was the thing to be uprooted; and until it was uprooted there would be no prosperity in the colonies.

The Duke of ARGYLL said, that it appeared to him that the arguments in favour of the Bill were somewhat transposed from their natural position. He was no protectionist; he rejoiced most sincerely that these restrictions had been removed; but for that, he feared to think what their position might have been. Another question, however, ought to enter into their consideration; he meant, the element of the slave trade. Throughout the whole course of the speech of the noble Earl, he had scarcely alluded to this. If he wished the system of protection to be continued to the West Indian colonies, it would not have been on the abstract theory that protection was the right system generally, but that we should constantly endeavour to exterminate by every means, direct and indirect, the slave trade. The whole argument had been to prove that this measure would be an advantage to the West Indian colonies. He asked his noble Friend, had it been any foregone opinion that the system of protection abstractedly was bad for our colonies, that had led to the adoption of this system? Had it not been a desire to have our sugar cheaper at as little loss as we could to our own income? That had been the object of our policy; and after we had determined to get our sugar cheaper, we turned round and said, it will do you no harm; we will take our sugar from the slaveholders; we hope you can compete with them. He hoped they might. He could not agree with one sentence of the noble Earl, when with a solemn face he addressed the West Indians, and said, you must labour for yourselves; we can afford no more protection. If they succeeded in maintaining their place in the world as sugar-producing colonies, they owed no thanks to us.

Earl ST. VINCENT contended that free labour could never compete with slave labour. Believing this principle, he regarded with considerable jealousy any measure which sanctioned the introduction of slave-grown sugar into the markets of this country.

Earl GREY replied.

Bill read 2^{a}.

House adjourned.

HOUSE OF COMMONS,

Monday, August 28, 1848.

Minutes.] New Writ.—For Cheltenham, *v.* The Hon. Craven Fitzhardinge Berkeley, void Election.

Public Bills.—2^{o} West India Colonies and Mauritius; Savings Banks; Consolidated Fund; Exchequer Bills; Copper and Lead Duties.

Reported.—Postage on Newspapers (Channel Islands, &c.); Royal Military Asylum; Taxing Masters, Court of Chancery (Ireland); Drainage Certificates; Slave Trade (Muscat).

3^{o} and passed:—Battersea Park, &c.

Petitions Presented. By Mr. Ewart, from the Synod of Dumfries, against the Diplomatic Relations, Court of Rome, Bill.—By Lord John Russell, from the Protestant Clergy and Laity of Ireland, in favour of the Present System of Education (Ireland).—From the Board of Guardians of the Clones Union, for an Alteration of the Poor Law (Ireland).—By Mr. Brotherton, from the Board of Guardians of the Salford Union, Lancashire, against the Poor Removal (England and Scotland) Bill.—By Colonel Sibthorp, from the Trustees and Managers of the Lincoln Savings Bank, against the Savings Banks Bill.

THE WEST INDIA COLONIES AND MAURITIUS BILL.

On the Motion that this Bill be read a Second Time,

Lord G. BENTINCK would intreat the Chancellor of the Exchequer to take fuller powers—which he need not exercise if he should hereafter find it expedient to do so—extending the provisions of the Bill, so as to enable him to make advances on the coming crops in the colonies. This would confer a great benefit under the present circumstances of pressure. He thought the Chancellor of the Exchequer need not be ashamed to follow the example of Mr. Pitt, who in a time of difficulty advanced 5,000,000*l.* sterling on the credit of the four great manufactures of this country; thereby saving the manufacturers without the cost of one shilling to the revenue. Unless such aid as he now asked for were afforded to the colonies, he feared the plantations might be abandoned; and then the price of sugar would rise in consequence of the deficient supply of the article. If, added to this, a revolt should take place among the slaves of Cuba and other foreign settlements, the price of sugar would be higher than it ever had been before in this country; and then what would become of the revenue, the consumption of sugar being necessarily reduced by the high price? He pressed upon the Chancellor of the Exchequer to take his suggestion into consideration.

The CHANCELLOR of the EXCHEQUER was not insensible to the weight of the noble Lord's suggestion, although he did not anticipate such a result in our colonies as the noble Lord had adverted to. Upon the whole, the course pursued by the Government was, he thought, best calculated to promote the permanent interests of the colonies; and, indeed, the words standing in the Bill, or very nearly those words, had been adopted at the suggestion of an hon. Gentleman, after a communication with the West Indian body. The Bill drew a distinction between the cultivation of private estates and objects which were of a more general or public benefit, such as road making, drainage, &c., and proposed to assist the latter; and he must observe, that the amount of capital not drawn from private individuals for these latter objects would of course be available for the purpose indicated by the noble Lord.

Mr. HUME observed, that the West India colonists had almost abandoned hope. The Colonial Office, instead of leaving the colonists to their own self-government, interfered in the most trifling matters. At St. Lucia, for instance, a quarrel had recently taken place between Judge Reddie and Colonel Torrens with regard to some letters, assailing the character of the Bishop of Barbadoes. Earl Grey had directed that an inquiry should be instituted, the result of which was that Judge Reddie, who had been suspended, was restored to his office; but he (Mr. Hume) complained that Earl Grey had directed that the expenses of the inquiry should be paid out of the colonial funds, while, as the quarrel was of a merely personal nature, the expenses of the investigation ought to have been borne by the parties immediately concerned. He had reason to believe that the colony of Guiana would refuse to vote any more money for the public establishments. The taxation of that colony, for the year before last, amounted to one-third of the value of the colonial produce, and it was not to be expected that such a state of things could continue.

Mr. BARCLAY recommended that the grant proposed to be made under this Bill should not be placed at the control of the colonial legislatures, for if that were the case, the money might probably be misapplied, and appropriated to jobbing purposes. He hoped the Chancellor of the Exchequer would give an answer to the question of the hon. Member for Montrose. In Jamaica the public officers had not received their last quarter's salary, and he believed the same was the case in other colonies. In his opinion the colonists, when they received further intelligence from this country, would be still more indisposed to vote the supplies.

Major BLACKALL wished to call the attention of the Under Secretary for the Colonies to the condition of the island of Ceylon, to which this Bill did not apply. He believed that if better facilities of communication were afforded in Ceylon, by the construction of roads and railways, it might be restored to the state of prosperity which it had attained some years ago.

Mr. HAWES said, this loan was to be devoted entirely to the sugar-producing colonies, upon which great difficulties had been entailed by the measure of negro emancipation. He was ready to admit that the establishment of good roads, and especially of railway communication, would be of great advantage to Ceylon. He had been informed that, in consequence of the present defective system of communication, the cost of rice, which formed the principal food of the people, was enhanced to double or treble the original price of the article. Lord Torrington, the present Governor of Ceylon, had however very recently transmitted to this country a road ordinance, which had been framed with great care, and which he believed was calculated materially to benefit the island. With regard to the occurrences at St. Lucia to which the hon. Member for Montrose had referred, the whole of the papers relating to the subject had been laid upon the table, and he would recommend the hon. Gentleman (Mr. Hume) to peruse those documents before he again brought the matter under the notice of the House. The hon. Member for Sunderland (Mr. Barclay) had expressed his opinion that the distribution of the loan to be advanced under this Bill should not be confided to the colonial legislatures; but he begged to point out to the hon. Gentleman, that although the money would be distributed under the direction of the colonial legislatures, the purposes to which it was to be applied were expressly defined in the Bill, and were all of a public nature. With respect to the course Her Majesty's Government might take if Jamaica or Guiana should refuse to defray the expense of the public establishments, he would only say, "Sufficient for the day is the evil thereof." If such a state of things should arise, it would then be for the Government to determine how they should act towards those who might have a fair claim upon the attention and justice of the mother country. If the colonists considered that a reduction of public expenditure was necessary, and if they calmly and fairly weighed the just claims of individuals and the interests of the colonies, he was satisfied that there would be no objection on the part of his noble Friend the Colonial Secretary to a just and well-considered scheme of economy. He thought the noble Lord was bound to oppose any crude and sweeping measures, which might peril the best interests of the colonies; but he was convinced that any well-considered scheme of improved administration or economy would meet with the most cordial and earnest attention of his noble Friend. With regard to British Guiana, he might observe, that the legislative system of that colony had frequently been under the consideration both of the Governor of the colony and of the Secretary for the Colonies, with a view to the improvement of the system, which did not at present command the confidence either of the colonists or of the people of this country. He would therefore demur to regarding any decision of the legislative body of that colony as expressing the general feeling of our colonists. He had the utmost confidence that the policy of the Government in the establishment of free trade, and the increase of competition, would lead to a system of economy and improvement in cultivation, which would render the existing capital and labour employed in our West Indian colonies far more profitable than they had hitherto been. He could assure the House that his noble Friend at the head of the Colonial Department was most anxious to adopt such measures as might promote and secure the present and future prosperity of the colonies.

Mr. BERNAL said, that the civil lists for the support of the colonial establishments in Jamaica had been adopted when the colonies were in a state of prosperity, and it could not be expected that colonies on the verge of bankruptcy could support those establishments.

Bill read second time.

SAVINGS BANKS BILL.

On the question that the Savings Banks Bill be read a Second Time,

Mr. H. A. HERBERT called attention to the report made to the Government by Mr. Tidd Pratt on the affairs of certain savings banks in Ireland; the report contained charges of fraud, but he was informed that a portion of these charges could be distinctly disproved, while for others it was denied that Mr. Tidd Pratt had just ground for his statements.

Mr. HUME thought it would only be fair that, as Mr. Pratt's report had been published on the one hand, the evidence taken before the Committee which had just reported on savings banks in Ireland, should be made public also. He was inclined to think, that this Bill had better be limitted to the appointment of auditors to audit the accounts and examine the depositors' books periodically, and not extended to the regulation of the liability of trustees.

Mr. G. CRAIG reminded the hon. Member that the Bill was framed upon the unanimous recommendation of the Committee.

Colonel THOMPSON said, it had struck him with profound astonishment, to hear that the savings banks were not what in popular parlance was called "as good as the bank." He should as soon have dreamed of having payment of his dividends at the Bank of England refused, because a clerk had gone to America. On the numerous occasions where he had advised servants and others in the less wealthy classes to invest their savings in the savings banks, he would assuredly have done no such thing if he had had the slightest conception they had anything but Government security for their money. If they had not, the only inference was that they ought to have, and the sooner it was set about the better. Why did not the Government give them its security, charging for the same; for it was no economy to tell the poor man his banking should be done upon a cheaper plan, but it was on condition he should take the chance of having his money run away with altogether. Governments were for no purpose but doing for individuals what individuals could not so well do for themselves; and therefore the matter must be set at rest.

Bill read a second time.

SPIRITS (DEALERS IN) BILL.

House in Committee.

On Clause 25, by which it was to be enacted that persons removing spirits in any quantity exceeding one gallon in any part of the united kingdom, and refusing to produce a proper permit or certificate, might be arrested, convicted, and on non-payment of a penalty, not exceeding 100*l.* and not less than 25*l.*, imprisoned for not more than six nor less than three calendar months,

Lord G. BENTINCK said, he considered the punishment to be awarded under this clause was monstrous compared with the offence.

Mr. HUME moved that the *maximum* penalty should not exceed 100*l.*, and that the magistrates should have power to mitigate it as they thought fit.

The Committee divided on the question, that the words "not exceeding" be inserted:—Ayes 33; Noes 51: Majority 18.

List of the Ayes.

Anstey, T. C.
Barkly, H.
Bentinck, Lord G.
Callaghan, D.
Carew, W. H. P.
Cobden, R.

Forbes, W.
Greene, J.
Hamilton, G. A.
Hardcastle, J. A.
Henley, J. W.
Herbert, H. A.
Hood, Sir A.
Keogh, W.
Knox, Col.
Martin, J.
Monsell, W.
Moore, G. H.
Morris, D.
Muntz, G. F.
O'Connell, J.
O'Connell, M. J.
Pechell, Capt.
Reynolds, J.
Robinson, G. R.
Salwey, Col.
Tenison, E. K.
Thompson, Col.
Turner, E.
Vyse, R. H. R. H.
Williams, J.
Willoughby, Sir H.
Wodehouse, E.

TELLERS.
Hume, J.
Duncan, G.

List of the NOES.

Abdy, T. N.
Bellew, R. M.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Blackall, S. W.
Bowring, Dr.
Boyle, hon. Col.
Brotherton, J.
Brown, W.
Campbell, hon. W. F.
Collins, W.
Cowper, hon. W. F.
Craig, W. G.
Denison, W. J.
Divett, E.
Douglas, Sir C. E.
Drummond, H.
Dundas, Adm.
Grenfell, C. W.
Grey, R. W.
Hay, Lord J.
Hayter, W. J.
Heywood, J.
Jones, Capt.
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Lewis, G. C.
Lushington, C.
Lygon, hon. Gen.
M'Gregor, J.
Matheson, Col.
Maule, rt. hon. F.
Milnes, R. M.
Morpeth, Visct.
Ogle, S. C. H.
Parker, J.
Pinney, W.
Price, Sir R.
Rice, E. R.
Scrope, G. P.
Seymer, H. K.
Seymour, Sir H.
Sheil, rt. hon. R. L.
Smith, J. A.
Somerville, rt.hn.SirW.
Stanton, W. H.
Villiers, hon. C.
Ward, H. G.
Wilson, J.
Wood, rt. hon. Sir C.

TELLERS.
Tufnell, H.
Hill, Lord M.

LORD G. BENTINCK said, that even the concession of the right hon. Gentleman as to the power of imprisonment left it in his opinion a monstrous punishment.

The CHANCELLOR OF THE EXCHEQUER would have no objection to make the *minimum* of imprisonment one month instead of three.

MR. HUME was not satisfied with the way in which the penalty stood. He would therefore propose that the penalty should in all cases be mitigated as the magistrate should think fit.

LORD G. BENTINCK hoped the noble Lord (Lord J. Russell) would grant what the Chancellor of the Exchequer refused to concede, viz., that instead of the period of imprisonment at hard labour being not more than six months, and not less than one month, the words "not exceeding six months" should be inserted.

MR. HUME considered it intolerable that the power of seizure in such circumstances should be given to policemen, of whom there were about 14,000 in the country.

MR. HENLEY thought the hon. Member for Montrose had understated his case; for seizures might be made not only by policemen, but by parish constables, and even by special constables.

MR. HENRY DRUMMOND also complained of the powers given to policemen and constables, who had not studied the law on these points, as officers of Excise deemed it their duty to do.

The Committee divided upon the question that the word "no" in the clause, the omission of which would have made way for Mr. Hume's Amendment, that in all cases the penalty should be mitigated by the magistrate to as low an amount as he thought fit, stand part of the clause:—Ayes 56; Noes 31: Majority 25.

List of the AYES.

Abdy, T. N.
Anson, hon. Col.
Baring,rt. hon. Sir F. T.
Bellew, R. M.
Berkeley, hon. Capt.
Blackall, S. W.
Boyle, hon. Col.
Brotherton, J.
Brown, W.
Campbell, hon. W. F.
Childers, J. W.
Collins, W.
Cowper, hon. W. F.
Craig, W. G.
Denison, W. J.
Divett, E.
Douglas, Sir C. E.
Dundas, Adm.
Ebrington, Visct.
Grenfell, C. W.
Grey, R. W.
Hawes, B.
Hayter, W. G.
Henry, A.
Heywood, J.
Hobhouse, T. B.
Jones, Capt.
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Lewis, G. C.
M'Gregor, J.
Maule, rt. hon. F.
Milnes, R. M.
Morpeth, Visct.
Ogle, S. C. H.
Parker, J.
Pinney, W.
Price, Sir R.
Rice, E. R.
Rich, H.
Romilly, Sir J.
Russell, Lord J.
Seymer, H. K.
Seymour, Sir H.
Sheil, rt. hon. R. L.
Shelburne, Earl of
Smith, J. A.
Somerville, rt. hn. SirW.
Stanton, W. H.
Talfourd, Serj.
Tennent, R. J.
Villiers, hon. C.
Ward, H. G.
Wilson, J.
Wood, rt. hon. Sir C.

TELLERS.
Tufnell, H.
Hill, Lord M.

List of the NOES.

Anstey, T. C.
Bentinck, Lord G.
Callaghan, D.
Carew, W. H. P.
Cobden, R.
Currie, H.
Drummond, H.
Duncan, G.
Ewart, W.
Forster, M.
Hardcastle, J. A.
Henley, J. W.
Herbert, H. A.
Hood, Sir A.
Keogh, W.
Knox, Col.
Monsell, W.
Moore, G. H.
Muntz, G. F.
Newdegate, C. N.
O'Connell, J.
O'Connell, M. J.
Pechell, Capt.
Robinson, G. R.
Salwey, Col.
Tenison, E. K.

Thompson, Col.
Williams, J.
Willoughby, Sir H.
Wodehouse, E.
Wyld, J.

TELLERS.
Hume J.
Forbes, W.

Clause to stand part of the Bill.

The House resumed. Report to be received.

BRITISH SPIRITS WAREHOUSING BILL.

On the Motion that the House go into Committee,

MR. M. J. O'CONNELL (in the absence of Mr. Moffatt) moved an instruction to the Committee on the British Spirits Warehousing Bill, that they have power to extend the provisions of the Bill, so far as to apply to spirits distilled in the united kingdom the privileges at present enjoyed by the owners of foreign and colonial spirits, in respect of the mode and time of levying the duties chargeable thereon. The mode of levying the duty gave a great advantage to colonial spirits, on which the evaporation had been greatly exaggerated. A quantity of brandy, containing at the time of landing 350 proof gallons, was reduced, at the end of five years, to 299 gallons, being a loss of 51 gallons, or 14.6 per cent, and a loss, taking the average bonded price, of 36.2 per cent on the prices. Another quantity of brandy amounting to 345 gallons, which was three years in bond, lost 42 gallons, or 12.2 per cent, and on the short price, 33 per cent; whereas with respect to rum, which had been described as greatly exposed to evaporation from being the production of a warmer climate, on a quantity of 669 gallons three years in bond, the loss was 38 gallons, or only 5.7 per cent on the quantity, and 14 per cent on the price. Taking the losses on the decreases of spirits, according to the calculation which the right hon. Gentleman had adopted, at 3¼*d.* per gallon on English spirits, at 33-100ths of a penny on Scotch, and at ¼*d.* on Irish, they amounted for each country to 28,125*l.*, 2,250*l.*, and 9,100*l.*, or 39,475*l.* in all. Mr. Wood, the Chairman of the Excise, who was in favour of charging the revenue on spirits at the worm's end, declared, in his evidence before the Sugar and Coffee Planting Committee, that he had completely made up his mind, from long experience, in favour of the mode he thought most desirable; he was unwilling to bring into practice a mode which was less desirable, and which he thought afforded greater opportunities for fraund. But Sir T. Fremantle had given it as his opinion that the time of charging the duty might be changed without any danger to the revenue. Articles of commerce were, generally speaking, charged with duty, not on the quantity going into store, but on the quantity taken into consumption. As regarded the West Indian and the home distiller, this was a question of equality of privilege. In pleading for the change, he supported the interests of the consumers throughout the country.

The CHANCELLOR OF THE EXCHEQUER said, the calculations which the hon. Gentleman seemed to think derived from some peculiar source were founded on and deduced from certain documents laid on the table of the House, namely, returns with respect to spirits in England, Scotland, and Ireland, moved for chiefly by the hon. Member for Limerick. The main ground on which the hon. Gentleman rested his Motion was, that the Excise allowances ought to be put on the same footing as the Customs allowances. But the whole system of the Excise duties was entirely different from that of Customs duties. When articles were imported from abroad, the policy of the country had for its basis to give every possible facility for warehousing, so as to make this country the great depôt for foreign goods; nay, so far was this principle carried out, that goods which might never directly benefit the country, but which were warehoused here, were allowed to be exported, that being for the advantage of the foreign trade. Every possible freedom was given with respect to goods under the Customs; and therefore the duties were taken on goods under the Customs at the last possible period at which they could be levied. With respect to the Excise duties, again, the great object was to levy the duties at the earliest possible period, that the supervision of the Excise might thereby be terminated. Such was the case with respect to soap, malt, spirits, and other articles chargeable with duty under the Excise. If the hon. Gentleman said the method of charging the spirit duties was an exception to the ordinary rule, he proceeded on fallacious grounds; for the rule was, that the Customs levied duties at the last moment, and the Excise at the earliest. The hon. Gentleman had said he had altered the duty proposed to be levied on colonial spirits. No doubt he had. But he stated in 1846 that in the then state of information 1*s.* was as much the distillers were entitled to as a protection against the colonial distillers. He then stated 6*d.* as a fair amount, when further light had been thrown upon the subject, concurring with the Chairman of Excise, who had assigned the grounds on which that opinion rested. If the hon. Gentleman accused him in that and other respects of not holding the same opinion at different times, did the hon. Gentleman mean to say that whatever experience he might acquire he was never to alter an opinion for the benefit of the consumer and the trader of this country, and introduce relaxations which, had earlier explanations been obtained, would have been earlier adopted? It was on the evidence of two practical distillers that the Government proceeded. Science was brought to bear on the subject; and they were enabled to relax the old-fasioned restrictions with which neither the Excise nor the distillers had thought it possible to dispense. The Government deserved credit for removing those restrictions which were formerly considered indispensably necessary to the protection of the revenue. The question at issue really resolved itself into a question between revenue and trade. He could not assent to the proposed alteration. One of the largest distillers in this country, Mr. Currie, had given evidence before the Committee to which the hon. Gentleman had referred, showing, that under such a system there was the greatest possible opportunity of committing fraud. The consequence would be to endanger the revenue. That was not the opinion of the Chancellor of the Exchequer or the Chairman of the Excise, but of one of the largest distillers in the country. The present system secured a degree of care on the part of distillers which could not otherwise be secured; for it was their interest to prevent a decrease. To make the proposed alteration would be merely to surrender so much revenue to the distillers. He held in his hand an account of the quantity of English spirits taken out of bond in 1847, and he found from that that the maximum amount of revenue which would be risked by the proposal now under consideration was no less than 118,000*l.* He did not mean to say that a loss to that extent would positively occur, but only that it would be risked; and this was an amount of risk which he was not prepared to run. He maintained that it was the fairest way, on the whole, that the duty should be paid at the worm's end on the quantity actually produced. There would then be no risk to the revenue; and although, ultimately, the duty on the quantity consumed might be somewhat increased, this higher duty would fall upon the consumer, as it ought to do, because he would get a better article, in consequence of the improvement of the spirits by being kept in bond. His hon. Friend seemed to think that there was no disposition on the part of Government to make any relaxations in favour of the dealers. Now, from the beginning to the end of the Bill, the effect of its provisions would be the removal of restrictions and obstructions, especially upon the Scotch and Irish distillers. Considering that such were the provisions of this Bill, he did not think he could be justly chargeable with neglecting the interests of the dealers, or with being unwilling in any way to remove restrictions from the trade, where their removal could be shown to be consistent with the safety of the revenue. He hoped, therefore, the House would support him in resisting the Motion of his hon. Friend.

Mr. MONSELL was happy to be able to confirm the statement of the right hon. Gentleman with reference to the general tendency of the Bill. The proposed relaxations had given the greatest possible satisfaction to the Irish distillers. At the same time, however, they felt that they suffered unjustly from the charge of the duty on decreases, which served entirely to neutralise the benefit held out to them by the Chancellor of the Exchequer, of allowing them to bond their spirits in England.

Lord G. BENTINCK expressed his surprise at the extraordinary statement which had been made by the Chancellor of the Exchequer with reference to the distinction between the duties of the Customs and the duties of the Excise. It might be true in the case of soap, malt, glass, printed cotton, and some other articles, that it was desirable the duty should be paid at an early stage, because in those cases there was no waste, and the duty was thus paid upon the amount of these various articles that finally came into consumption. But the complaint here was, that the distillers were charged a duty upon what might never come into consumption. The right hon. Gentleman had said that, as spirits improved by being kept in bond, and became more valuable, it was right that a higher duty should be paid upon the article; but did not the same rule apply equally to colonial spirits—to foreign gin, hollands, and brandy, for instance? All that the Irish and British distillers sued for was to have equal justice dealt to them as was given to the foreigner—to be released from the grinding extortion of the Excise, and brought under the regulations of the Custom-house; and anything more reasonable than that he could not conceive. Such was the opinion of Sir H. Parnell's Excise Inquiry Commission in 1833. The noble Lord quoted a passage from the report of the Commissioners, stating that in their opinion it would be but just that the mode of estimating the duties on rum and hollands should be extended to spirits distilled in this country, and that they saw no reason why foreign traders should possess any advantage over our home manufactures. The right hon. Gentleman was certainly a very comical Chancellor of the Exchequer; for whenever it suited him to argue against the colonial distillers, he then endeavoured to show the House that the leakage and wastage was next to nothing; but when he wanted to avoid putting the British distillers upon an equality with the colonial and foreign distillers, he then immediately discovered that the leakage and wastage was exceedingly large. It reminded one of the fable of the Satyr and the Traveller; for the right hon. Gentleman could warm his hands and cool his porridge with the same breath. But there was no doubt upon this point; for they had the authority of an Act of Parliament as to the amount of leakage and wastage in the case of foreign spirits. By the 8th and 9th of Victoria, cap. 91, sect. 22, the allowance for wastage was one gallon for every 100, for six months; three gallons for every 100, from six to eighteen months; five gallons for every 100, from eighteen months to two years; six gallons for every 100, from two years to two years and a half; and so on. All that the Irish distillers asked for was to be treated with equal justice with the foreign distillers, and that they should have the same advantages which the foreign distillers enjoyed.

Mr. REYNOLDS said, that the Bill did not go far enough, and that if the right hon. Gentleman should refuse his assent to the Motion of the hon. and learned Member for Kerry, he would inflict deep injustice upon the distillers of Ireland and Scotland. As to what the loss to the revenue would be, the calculation was guesswork; but if the storing of spirits were encouraged, the consumption would be increased, and so far the revenue also. Coupling this Bill with the Rum Duties Bill, it seemed clear that the Government were sacrificing the interests of Ireland to those of the West Indies. If spirits remained in bond for seven years, the colonial manufacturer would have an advantage equal to 6*d.* per gallon. If the Government persisted in their refusal of the claim in question, they ought to take out a patent for making converts to repeal; distillers who had been opposed to repeal were beginning to say that it was folly to expect justice from an English Parliament.

The House divided on the question that it be an instruction to the Committee, &c.:—Ayes 37; Noes 76: Majority 39.

List of the AYES.

Anstey, T. C.
Barkly, H.
Bentinck, Lord G.
Blackall, S. W.
Broadley, H.
Callaghan, D.
Carew, W. H. P.
Cocks, T. S.
Currie, H.
Devereux, J. T.
Disraeli, B.
Dodd, G.
Duncan, G.
Dunne, F. P.
FitzGerald, W. R. S.
Forbes, W.
Greene, J.
Henley, J. W.
Herbert, H. A.
Hood, Sir A.
Hume, J.
Jones, Capt.
Keogh, W.
Knox, Col.
M'Gregor, J.
Matheson, Col.
Monsell, W.
Moore, G. H.
Morgan, O.
Muntz, G. F.
Newdegate, C. N.
Reynolds, J.
Tennent, R. J.
Thompson, Col.
Vesey, hon. T.
Vivian, J. E.
Willoughby, Sir H.

TELLERS.

O'Connell, M. J.
O'Connell, J.

List of the NOES.

Abdy, T. N.
Adair, H. E.
Adair, R. A. S.
Anderson, A.
Anson, hon. Col.
Baring, rt. hon. Sir F. T.
Bellew, R. M.
Bernal, R.
Bowring, Dr.
Boyle, hon. Col.
Brockman, E. D.
Brotherton, J.
Brown, W.
Bunbury, E. H.
Campbell, hon. W. F.
Childers, J. W.
Craig, W. G.
Divett, E.
Dundas, Adm.
Ebrington, Visct.
Forster, M.
Grenfell, C. W.
Grey, R. W.
Hardcastle, J. A.
Hawes, B.
Hay, Lord J.
Hayter, W. G.
Henry, A.
Heywood, J.
Hobhouse, rt. hon. Sir J.
Hobhouse, T. B.
Hodges, T. L.
Jervis, Sir J.
Labouchere, rt. hon. H.
Lacy, H. C.
Langston, J. H.
Lascelles, hon. W. S.
Lewis, G. C.
Locke, J.
Maule, rt. hon. F.
Milnes, R. M.
Mitchell, T. A.
Morpeth, Visct.
Morris, D.
Paget, Lord C.
Parker, J.
Perfect, R.
Pigott, F.
Pinney, W.
Price, Sir R.
Rice, E. R.
Rich, H.
Romilly, Sir J.
Russell, Lord J.
Salwey, Col.
Scholefield, W.
Scrope, G. P.
Seymer, H. K.
Sheil, rt. hon. R. L.
Shelburne, Earl of
Smith, J. A.
Somerville, rt. hon. Sir W.

Stanton, W. H.
Talfourd, Serj.
Tancred, H. W.
Tollemache, hon. F. J.
Turner, E.
Vane, Lord H.
Villiers, hon. C.
Ward, H. G.
Watkins, Col.
Williams, J.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wyld, J.

TELLERS.
Tufnell, H.
Hill, Lord M.

Bill passed through Committee.
Report to be received.

COPPER AND LEAD DUTIES BILL.

On the Motion for the Second Reading of this Bill,

Lord G. BENTINCK said, the hon. Member for Bodmin (Mr. Wyld) had a notice on the Paper that the Bill be read a second time that day six months. In the absence of the hon. Member, he should make that Motion. He believed the Bill had now been postponed not less than two-and-thirty times; and now, when five-sixths of the Members had abdicated their Parliamentary functions for the present Session, the Government was about to press it forward. The repeated postponements that had taken place, showed that they had no confidence in the merits of the Bill. For his own part, he thought it exceedingly indecorous, when the Government was in a state of insolvency, and obliged to borrow 2,000,000*l.*, that they should propose a measure, the object of which was to forego a portion of the solid revenue obtained from the imports of foreigners. He objected to the Bill, because it was another step taken by the Government towards taxation more in a direct, rather than in an indirect manner. He maintained that the Customs duties were essentially taxes levied upon the industry of the foreigner. He objected further to the Bill, that it was the removal of a just protection which the miners of Cornwall were entitled to at the hands of the Government of this country. This duty on copper ore was only an *ad valorem* duty of no more than 6 per cent on the produce which was subject to it. He hoped that the right hon. Gentleman the Member for Portsmouth was present to vindicate the principle of the Whig Government of levying taxes from Customs duties. This tax, small as it was, concerned the subsistence of more than 24,000 persons, who, with their families, represented 100,000 souls. He thought they should not on that account lightly deal with a tax which, whilst it fed the revenue, protected the means of subsistence of so large a portion of the population of the country. He could state, that the miners of Cornwall never were in a lower condition than they were at present. There never was a moment when there was less claim on the part of the smelters of Swansea and other places to demand this reduction. The price of copper had risen, whilst the price of copper ore had fallen. True, the smelters who asked for this protection were a powerful body strongly represented in that House; but there never was a more complete monopoly than they constituted; and it was to add to the unjust gains of these monopolists that Her Majesty's Ministers proposed to reduce this small duty of 6 per cent *ad valorem* upon ore the produce of slaves in Cuba, which was also the produce of Jamaica. He had been told by the hon. Member for Westmoreland (Mr. Alderman Thompson) that there never was a greater monopoly than that of the smelters. "But (said the hon. Gentleman) they might as well give us this 40,000*l.*, and let us divide the amount amongst us as repeal the duty now proposed." The same hon. Gentleman had stated to him that he was a party interested; but as the proposition was one which was contrary to the interests and benefit of his country, he would not vote for it. Now, he did not object to admit the produce of the colonies free of duty. If he did not succeed in throwing out the Bill on the second reading, he should be prepared to support Amendments in Committee, which should leave the copper of the colonies untaxed, and should impose a tax only on copper ore the produce of foreign countries. The hon. Gentleman the Under Secretary for the Colonies, some four weeks since, declared that our colonial policy had been the most successful and beneficial that the world had ever witnessed; and in proof of this, in reference to our old colonial policy, he quoted the case of Australia; and he told the House that there was no colony in the history of our colonial empire which had ever shown such rapid strides in improvement and wealth as Australia. The hon. Gentleman told them, that while the value of the copper ore exported in the year 1844 was 4,009*l.*; in 1845 it increased to 17,175*l.*; and in the two quarters of 1846 it increased to 54,168*l.*, which upon the whole of the year 1846 would be equal to 108,336*l.*, being one-third of the exports of all the colony. Would the House consent to cut off this lucrative trade from the colony?

The report of the Lords on colonisation showed that a large number of miners went from Cornwall to work these mines at Australia. Why not send out Irish labourers to work this ore? Let them not dry up the sources of employment. Let them not surrender the trade to Cuba and Chili. The expense of the carriage of the ore would be 38,000*l.*, supposing the value of the ore to be 108,000*l.* He held in his hand a report of the state and prospects of the miners of Cornwall up to Friday last. He had stated, on presenting a petition, that the price of copper ore at the end of the last quarter was 11 per cent lower than at the commencement of the year; that it was lower by 18 per cent than it was at the same period in 1840; and that it was 25 per cent lower than the average of the last fifteen years. The effect of that reduction in price on the wages of the miners was equivalent to 17*s.* 1*d.* on every ton of ore raised—for the miners were paid in proportion to the quantity and quality of the ore raised by them. The quantity annually raised in Cornwall was 50,000 tons, and about 22,000 persons were engaged in raising them; the effect upon the miners' wages, therefore, was easily appreciated. He was sorry to say, that the prospects of the miners in Cornwall were not much better for the ensuing year than those of the people of Ireland. It was stated in the *Cornwall Gazette* of last Friday, that the harvest was in the greatest danger—that the country was a comparative solitude—that most of the engines were dismantled and the mines abandoned—that hundreds of cottages were deserted—and that the occupiers had gone for the most part to distant lands. All these (added that journal) were rendered more dismal by the threatened measure of the Government in throwing them open to foreign competition. The Government would find Cornwall another Ireland if they enforced these measures, and took from the people, in their hour of struggle with the dispensations of Providence, the chance of improving their condition. He asked the noble Lord at the head of the Government if he was prepared, for the sake of carrying out a miserable abstract principle, to risk putting the inhabitants of a county of England, whose inhabitants were famous for their loyalty, their industry, and their peaceful conduct, into the same state and condition as the people of Ireland? And to do what? To support one of the grossest monopolies in this country, namely, the interest of those who had vested their money in foreign mines. The Board of Trade would no doubt urge that the smelting trade was leaving this country; and that it was to prevent the transfer that the measure was passed. But he denied the truth of this statement. By the returns which were laid before the House, the imports of copper ore into this country for the first six months of the year exceeded by 2,000 tons the importation of a similar period in the year preceding. It was said, that the miserable duty of 6 per cent *ad valorem* sent the smelting trade to France and Hamburgh, and the United States; but he was in a position to show that the amount of foreign ore smelted in France was not ten tons a week, and that the proportion was the same in the other places. The right hon. Gentleman would no doubt talk of the protection afforded to the Cornwall miner by the freight from Cuba; but he would ask the House whether the smelters of Swansea "the copper bottoms," as they were called in the City, had not a better protection in the price of coals than any which freight could afford them. To smelt ore, the following quantity of coal was required per ton:—

Chili (of the finest quality)	12 tons.
Cuba	14 „
Cornish (an inferior ore)...	20 „

But the smelter at Swansea had his coal for 4*s.* per ton, while the prices were in—

France	£1	2	0
Hamburgh.	0	16	0
United States ...	1	11	6

Making a difference of 10*l.* 16*s.* per ton in the case of Chili ore smelted in France, 7*l.* per ton on that smelted in Hamburgh, and upwards of 16*l.* per ton in those parts of the United States where smelting was carried on. It was, therefore, ridiculous to say, that with such prices of coal, the freight being the same, any duty of 6 per cent *ad valorem* could make a difference in keeping smelting out of the foreign market. In England there were smelted 400 tons of ore per week; in France, ten tons; in Hamburgh, 25; and in the United States from five to ten tons. He arraigned the accuracy of the returns made by the Board of Trade in respect of smelting in this country. The noble Lord at the head of the Government, and the right hon. Gentleman at the head of that department, had repelled with indignation his charge against Mr. Porter on a former occasion; but from a statement drawn up by the statistical office of that Board, referring to trade and navigation, he found that the quantity of copper metal obtained from the ore, in the six months ending 5th July, 1848, was only 1,319 tons. According to the returns on the same subject, the quantity produced in the same period of the subsequent years was as follows:—

1846	5162 tons.
1847	4017 „

On such a showing as this it was not wonderful that the House of Commons should feel dismay that the smelting trade was leaving the country. But, nevertheless, as he would point out to the House, there was every reason to believe that a much larger quantity of metal had been produced than was accounted for in this return; and that though it was signed by A. W. Fonblanque, and dated August 5, 1848, there was every ground to suppose that the amount was not 1,319 tons, but 5,935 tons. It appeared that the copper ore imported into this country in the first six months of—

1846 was...	25,035 tons.
1847	18,896 „
1848	27,155 „

But in the first-named year the quantity of ore imported gave, as he had shown, 5,162 tons of metal — equal to 20 per cent; in the second, 18,896 tons of ore gave 4,017 tons of copper metal—equal to 21 per cent; while in the first six months of 1848, 27,155 tons of ore, if the return could be credited, gave only 1,319 tons of metal—equal to only four per cent, instead of an average of 20 per cent. The return of the Board of Trade was signed "A. W. Fonblanque," who, to his occupation as editor of a newspaper, superadded that of secretary to the statistical department of that Board; and, in the multiplicity of that gentleman's avocations, he might, no doubt, have miscalculated the return. But were 100,000 English people to suffer for the blunders of any board or any man; and was that branch of British industry which they lived by of such small importance that it could be trifled with by any person? By these misrepresentations Government succeeded in inducing the House of Commons to accede to their resolutions. The Government selected the latter end of August, when the House was stripped of its independent Members, to bring forward the measure by which they cast away 40,000*l.*, the amount of duty paid on foreign ore. They found the Government, when the exchequer was in a state of beggary, throwing away large sums of revenue, and going to the Stock Exchange for what they did not possess. He objected to this system of throwing away duties which were collected at no cost to the country. He condemned the practice of flinging away revenue, and then making up the deficiency by either adding to the national debt, or by imposing additional direct taxation on the community. He objected to the system of throwing away revenue to be made up by English industry, and giving the amount to benefit the slave producer. The Government came to that House with false statements and statistics from the Board of Trade, and they misled the House with the view of letting in foreign produce to the injury of our own native industry. He should, therefore, move that the Bill be read that day three months.

Mr. WYLD seconded the Motion. His reason for taking this course was, because Her Majesty's Government had brought it forward at such a late period of the Session, and because the people of Cornwall would, at no distant day, be reduced to a state of utter ruin. The county of Cornwall had been known from the earliest date for its minerals. During late years a large and important interest had sprung up, and a population of 118,000 were solely dependent on the prosperity of the mining trade. The mining interest of Cornwall had found out what would be the ultimate effect of this measure if it passed, by the recent large importations of foreign ore. The result of this importation already was, that a fall of nearly 20 per cent had occurred; and this reduction had plunged the entire mining interest into a state of great embarrassment, he might almost say ruin. The case of the miner was different to that of the manufacturer. The manufacturer, if thrown out of work, could find employment elsewhere; but the miner had no such resource—he could only find employment at that sort of labour in which he had been brought up, and only in mining districts. He could confirm the statement of the noble Lord, that the returns from the Board of Trade were erroneous. This was not a question of free trade, but a question of employment of the people. They might change their markets to Chili or to Cuba; but would that change benefit the people in England, or make up for the people who would be thrown out of employment by the operation of this measure? At present the trade in copper ore employed 20,000 tons of shipping, and it was owing to this trade and the return freights of coal, &c., that the country owed much of its prosperity. If the present duties were removed, the Cornish miners would be exposed to a great source of competition which they had hitherto escaped. By the change of 1842, the miners had derived no advantage whatever; but any benefit which had arisen from the measure had gone to the shipowners. It was urged that there was a necessity for a change, in consequence of a decrease in the importations; but that decrease had only arisen from legislative causes. The importation was for a time reduced, but the quantity produced was the same. The duty had not operated against the importation, for taking the average of the last three years the amount of ore imported was as great as at any other similar period, so that the data upon which this measure was founded were altogether wrong. It had been said that there were smelting works at Hamburgh; but they could not affect the English smelters, inasmuch as they had a duty of 15*s.* per ton to pay upon the coals. Then they had been told of the smelting works of the United States; but in the United States they only smelted the rich ores of Cuba; and the total amount of copper produced from the United States' smelting works did not exceed 50 tons a month. Then with regard to France, the importation of copper ore into that country did not exceed from 1,500 to 2,000 tons in the year. In fact, the English smelters acknowledged that they had nothing to fear from foreign competition. It had been said that there had been a decrease in the quantity of copper smelted in England in consequence of those duties, but he denied that such was the case. The export of copper from England to France had, for several years past, shown an amount of increase both in quantity and in value. The question was, whether it would or would not advantage the manufacturers of Lancashire to lose 100,000 customers in Cornwall, in order to gain 50,000 customers in Cuba, each of the Cornish customers being in the habit of purchasing their manufactures to three times the amount of the Cuban customer. The miners of Cornwall had hoped that this question had been finally settled in 1844. Upon the faith of that settlement large sums of money had been invested in mining speculations in Cornwall; and such being the case, he called upon the Government not, on mere theoretical grounds, to disturb that arrangement.

Mr. LABOUCHERE: Considering that this question debated to-night, has been discussed at a much earlier period of the Session—as early as the 17th of April—in the presence of many persons of great experience and authority, I am sure the House will readily excuse me if, upon the present occasion, I do not occupy much of its time. The noble Lord has blamed the Government for having allowed the second reading of the Bill to be brought forward at this period of the Session; and he stated had it been discussed at an earlier period that it would have been less favourably received. On the 17th of April, when this subject was discussed, there were 102 in favour of it, and only 35 against it. The charge, therefore, that the Government purposely delayed the measure till a late period, because they believed it would not be favourably received by the House, cannot be fairly made against the Government. I should be surprised if the House did not support this measure; I cannot conceive that it is necessary to state arguments to show that the reduction of the duty upon a raw material which enters into the staple manufactures of the kingdom, would not be an act of justice and of policy. The only reason why it was not sooner brought forward arose from a question of revenue. But as regards that question, I still adhere to the declaration which I originally made, that the revenue was slipping from the Chancellor of the Exchequer's hands—it had come down to the sum of 40,000*l.* a year. There has been a gradual diminution in the quantity imported for several years past. In 1845 there were 56,000 tons of copper ore imported; in 1846 the quantity imported was only 50,900 tons in round numbers; and in 1847 it had come down to 40,900 tons in round numbers. The noble Lord says that there has been a slight increase in the present year. [Lord GEORGE BENTINCK: I said that the importation this year was the largest amount ever imported.] Even if there has been some increase, I do not think that it can be set against the continuous diminution; and though I will not assert it positively without the returns before me, I think it possible that the increase may be accounted for by the announcement having gone out to Cuba of this measur ehaving been introduced, and the duty removed. While I am on this point I will advert to an accusation which the noble Lord made against the statistical department of the Board of Trade, to which he alluded, as is his wont, in no very measured language. That attack has been directed against a very distinguished officer of that department, Mr. Fonblanque—a name that cannot be mentioned without respect. But the noble Lord, in that unfortunate habit in which he indulges whenever he thinks that he has detected an error, has treated that officer not as one who might have fallen into an error, to which we all are liable, including the noble Lord himself, but as a public delinquent, and as one who had some discreditable cause for the error which he has made. But the error, if it can be called one, to which the noble Lord has reverted, admits of a very easy explanation. The noble Lord must be aware that since the resolution was passed on which this Bill has been founded, a change has taken place in the mode of taking the duty. The duty has been taken for the last three months, not on the metal contained in the ore, but on the ore itself. The amount of ore on which the duty is paid is given correctly. [Lord G. Bentinck: I said charged, and not paid.] I believe that the error which the noble Lord thought he had discovered is founded on this, that for the last three months the copper ore imported from foreign countries had been charged with duty on the ore itself, and not as formerly, on the metal contained in that ore; and if the noble Lord looks into the tables furnished by the Board of Trade, which I have done hurriedly since the noble Lord drew my attention to the matter, he will find that this is obviously the case. He will perceive that there has been no duty paid on the metal as formerly, but that the duty has been paid on the ore itself—that the amount of duty was charged on the metal for the preceding three months, and on the ore and not on the metal for the last three months; and so it appears in the returns. [Lord G. Bentinck: That proves my case.] I wish the noble Lord would allow me to proceed without these constant interruptions. The noble Lord would not have the head of the statistical department of the Board of Trade say that the duty had been received on the metal when it was received on the ore itself. [Lord G. Bentinck: You misrepresent me. I did not make use of the word "received." There is all the difference imaginable between duty charged and duty received.] I fear that I have not made myself understood. The duty was charged formerly, per ton, on the metal, and we gave in returns to the House of Commons of the duty, not on the quantity of ore, but on the metal contained in it; but latterly the duty has been charged on the ore, and not on the metal at all, and consequently the tons of metal are no longer brought into account. However, I will not detain the House on this matter. I think I have said enough to prove to the House that there really is no ground for what I must call again the most unwarrantable attack which the noble Lord has made on a most excellent officer. The noble Lord has said that I always defended the gentlemen connected with the office to which I was attached; but I can tell him that I would not defend any man either in the Board of Trade, or anywhere else, who I did not think deserved to be defended; but when I hear any subordinate officer in any department with which I may be connected, as I believe unjustly attacked, I shall always be ready to defend him to the best of my ability. The noble Lord said that this measure was all for the benefit of a few smelters who have a monopoly of the smelting trade in this country. I have the most perfect confidence that this measure will prove beneficial to the trade generally of this country. The copper, when manufactured, is allowed to be introduced into this country; and the consequence is that the only real practical check that can be applied to the foreign smelting trade is allowing the competition which this Bill will ensure. I have no fear whatever but that this measure will be for the advantage of the smelters of this country. I believe that this country may continue to be the site of the smelting trade of the world, and I hope that it will be so; but I feel that that pre-eminence cannot be maintained by any attempt at monopoly, and by fixing undue prices on the produce of our own miners. And here I must deny the assertion made by the hon. Gentleman who has just sat down, that the admission of foreign ores will prove detrimental to the Cornish miners. I should be most sorry to inflict a blow upon that important body; but my belief is, that the mixture of foreign ores will be advantageous instead of injurious to them. Considerations of revenue had long prevented this useful and necessary measure from being sooner adopted. I am satisfied that it will prevent injurious consequences to the mining interests of this country, and I am also convinced that to the community at large it must be productive of important advantages.

MR. HENLEY believed that the charge made by the noble Lord was expressly directed, not against Mr. Fonblanque or Mr. Porter, or any other subordinate, but against the right hon. Gentleman himself. The noble Lord had stated distinctly that he would not charge any subordinate, but that he would make his charge against the head of the office. The right hon. Gentleman said that, from the time the resolution passed the House, that the duty was charged, not on the metal, but on the copper ore. The printed paper gave the copper ore for the whole six months. How was it to be distinguished upon which part the duty was charged? How was any one to distinguish, out of the 27,000 tons, which was charged one way and which was charged the other way? It was not the mode in which a public account ought to be kept. Any one looking at it superficially would be deceived. There was nothing to indicate when that mode of charging the duty had taken place. It had the effect of making the importation appear in value far less than it really was. It was a clumsy way of keeping accounts, and did not make plain the true state of the case. Suppose this Bill did not pass, how would they charge their duties? The right hon. Gentleman said that the only reason why what was now proposed had not before been done, was on account of the state of the revenue. What was there in the present situation of the Chancellor of the Exchequer to make him able to give up revenue? In 1842 he took a very different view of this question; he did not urge it on the ground of the revenue, but said they must see that they did not inflict injury on the great mining interests of Cornwall. Would he pretend to say that the great mining interests of Cornwall were in a better state now than they were in 1842? Did he take care that this measure did not necessarily injure the Cornish miner, whom in 1842 he was so anxious to protect? Unless they could show that the advantages would be greater than the loss to the people whose bread depended upon it, he must say that they were running the imminent risk of increasing the misery of this country, by throwing out of employment a most loyal and industrious set of people.

COLONEL THOMPSON said: As happened on a former occasion, there is a party concerned that has not yet been heard. There are two ways of obtaining copper and lead. One is to dig them out of the Cornish mines; and the other is to make cloth at Bradford, and elsewhere, and bring copper and lead from foreign mines in return for it. And the interest of the public clearly is, that Cornwall should work its mines to the extent consistent with competing with Bradford, and Bradford bring home copper and lead to the extent consistent with competing with Cornwall. But we are told there is destitution in Cornwall. Is there none in Bradford? Hon. Gentlemen descant on the badness of the potato crop in Cornwall. Are there no curled-tops in Yorkshire? Cornish men are stated to be on short commons; and for this, Cornish Members propose an easy remedy, and say "take the dinners of the people of Bradford." The whole is, in principle, an attack on foreign trade; it is a demand that foreign trade shall be put down, whenever a man will stand up and say he engages to furnish the article at a dearer price. If the manufacturers of Bradford and elsewhere demanded a tax on copper dug in Cornwall, in order to increase what would be brought from abroad, they would do no more than had been done by the Cornish men to them. And there is one reason why this would in truth be the worst for the public interest of the two. Do not hon. Gentlemen see the bearing it would have on our mercantile marine, our wooden walls? He would, therefore, propose a duty on Cornish copper, as a sort of new navigation law; and he would regard the way in which the Conservative side of the House supported this proposal, as a measure of the regard they had for navigation laws where their own interests were touched.

MR. NEWDEGATE supported the Amendment, and complained that the Bill had been delayed so long that forty placemen were of serious importance upon a division at the present period of the Session. The House, too, sat at such hours, and so long, that their debates were necessarily compressed into the smallest possible compass, and the consequence was, that their constituents would never know what arguments were used by them upon the question, or at least not until long after the Bill had passed. He could not avoid commenting upon the appearance in the debate of the hon. and gallant Member for Bradford, who rose to put in a claim for Bradford—for the manufacturers of Bradford—whose productions were already protected by a duty of 10 per cent. Now, he (Mr. Newdegate) begged to say that he appeared to support the interests of his constituents, who had elected him for that purpose, but not to claim any protection for them at the expense of any other portion of their fellow-countrymen. Protection against foreigners he claimed for them, but not against their fellow-subjects. With reference to the returns from the Board of Trade, there could be no doubt that, as this particular item was given, it was calculated to mislead the public; and he had frequently observed that all the errors were in favour of the theory of free trade.

Mr. BROWN said, that the staple manufactures of Bradford were not protected at all—linen, cotton, and woollens, on importation, were not subject to any duty whatever; that the right hon. the Chancellor of the Exchequer had acted most wisely in bringing forward a Bill for the reduction of duty on copper ores, for the duty acted as a bounty to the infant smelting works that were springing up in Hamburgh, Belgium, France, the United States, and South America; and if this duty was not removed, we should soon lose both the duty and the trade. The noble Lord (Lord G. Bentinck) had said that coals in the United States cost 1*l.* 11*s.* 6*d.* per ton; he (Mr. Brown) was in a position to state positively that coals were to be procured in Baltimore for about half that money; and that when their mode of conveyance and facilities for bringing them to market were more complete, they expect to be able to furnish them at 11*s.* 6*d.* per ton, making the difference of 1*l.* from the noble Lord's statement; and those were excellent coals, nearly, if not fully, equal to any in England, having 80 per cent of carbon, no sulphur, and sufficiently bituminous to ignite freely. Now, Sir, with respect to copper, if the House will permit me, I will read a very short letter from Messrs. Brownell & Co., a house of the very first respectability:—

> "By the last mail from Valparaiso, we had letters of the 30th March, which state that the Americans and Germans continued to buy copper ores, at prices considerably beyond what our correspondents could pay for shipments to this country, to be subjected to the duty. Smelting in Chili proceeded with increased activity, and it is anticipated will produce 10,000 tons of copper this year; and to such perfection has it arrived, that some parcels we have received within the last six weeks, intended for sale on the Continent, are found by assay to contain fully 98 per cent of pure copper. At Hamburg the works are in such active operation that besides their direct importation from Chili, we have ourselves, within the past month, had offers to purchase cargoes of copper ores, or to smelt them for us on more favourable terms than we could obtain in this country. The return recently made to Parliament of the exports of copper show a considerable falling-off, which you will find principally to France and the United States, both of whom have imported very increased quantities of copper direct from Chili. These, and other such facts, show the danger of longer delaying the repeal of a paltry duty, as respects the revenue, but which is so injurious to this and other important interests."

So much for the facts that have been brought forward to sustain a class interest. About two years ago, a friend of mine (Mr. Fleming), who is interested in copper mines in Missouri, and who brought some copper ores here, assured me, if our duty was removed he would make his arrangements to send his ores to England through New Orleans, and give up his smelting works. Now, I should be glad to know, as we are large exporters of copper, whether the interest of the English copper miner will be more injured by the foreign ores being smelted in England, and sent out to compete with him in foreign markets, or whether that competition which fixes the price will not be equally severe when brought against him by foreign smelters, as only the same quantity of copper will be wanted? My conviction is, the removal of the duties will do him no injury whatever, or throw any hands out of employment. You must recollect that the foreigner does not make us a present of his ores—we must pay for them by the products of our industry; and if it even should throw men out of work in Cornwall—but which I do not admit—it will give in any event employment to hands in Birmingham, and other manufacturing towns, in preparing returns, and with the further advantage of benefiting our shipping interest in bringing the ores here, and carrying out the return cargoes; and it must never be lost sight of, that to whatever country those copper ores are sent, that country must make the returns in some shape or other. I do not deny that the miners in Cornwall, and their workmen, are suffering at this moment from the general depression of trade; so are other important interests, as from the 10th July, 1847, to the 8th July, 1848, English wool has fallen from 11*l.* 16*s.* 8*d.* to 8*l.* 15*s.* per pack; foreign flax, per ton, from 53*l.* 15*s.* to 38*l.* 10*s.*;

cotton wool, short staple, from $5\frac{5}{8}$*d.* to $3\frac{5}{8}$*d.* per lb.; raw silk from 22*s.* $5\frac{3}{8}$*d.* to 17*s.* $\frac{5}{8}$*d.* per lb.; pig iron from 4*l.* 1*s.* 3*d.* to 3*l.* 1*s.* per ton; British bar iron from 9*l.* 15*s.* to 6*l.* 17*s.* 6*d.* per ton; and copper from 98*l.* to 88*l.* 10*s.* per ton, which is a much less per centage than any of those other articles. I shall never be a party to bolster up any class interest at the cost of the nation; and for the good of all, the sooner duties are removed from raw materials the better, to put us in a position to compete more effectually in manufacturing with other nations. Hon. Members opposite forget the advantages of the subdivision of labour, climate, and localities; in fact, the whole system of protection rests upon a rotten foundation. We have very good tailors in London, they have excellent shoemakers in Stafford; suppose for the protection of native industry, we compel the tailor to make his own shoes, and the shoemaker to make his own clothes, would not both be serious losers by attempting to do, at an expenditure of labour, cost, and time, what the other could do much better for him? This is protecting native industry! Let us look a little further; we can grow tobacco in England, but we can get it much cheaper and better from the United States, and we can furnish them with many articles of our industry on better terms than they can afford to make them. I ask, will common sense refuse to make those beneficial exchanges, or must we punish ourselves, by extending more of our industry and talent than is necessary to procure those articles which we require? Fortunately, the nation has become too enlightened, longer to bolster up that false system of protection called native industry, but once and for ever has thrown it to the winds.

Mr. MUNTZ opposed the Amendment. Unless the copper manufacturers of this country had the raw material as cheap as the foreigner, it was impossible they could compete with him, or hope long to enjoy the superiority in smelting which this country possessed at present. He denied that the smelting trade was a monopoly, for any person who had adequate capital might engage in it.

Mr. CAREW felt bound to state, that the mining community in the eastern division of Cornwall were suffering the greatest distress, and he had several documents in his possession which would fully bear out this statement. He had been assured that the great bulk of the population in the mining districts of Cornwall would not find employment if this Bill passed, as the mines could not be worked, and there would be no occupation for them in the agricultural portions of the county.

Mr. E. TURNER was prepared to support the Bill. He denied that any petitions of any consequence had been presented from the mining districts of Cornwall against it. Indeed, he believed that the great mining interest of Cornwall was in favour of the proposition of the Government.

The House divided on the question, that the word "now" stand part of the question:—Ayes 77; Noes 21: Majority 56.

List of the Ayes.

Abdy, T. N.
Adair, H. E.
Adair, R. A. S.
Anderson, A.
Anson, hon. Col.
Barkly, H.
Baring, rt. hon. Sir F. T.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Bowring, Dr.
Brockman, E. D.
Brotherton, J.
Brown, W.
Buller, C.
Campbell, hon. W. F.
Childers, J. W.
Craig, W. G.
Divett, E.
Dundas, Adm.
Ebrington, Visct.
Ewart, W.
Forster, M.
Greene, J.
Grenfell, C. W.
Grey, R. W.
Hawes, B.
Hayter, W. G.
Henry, A.
Heywood, J.
Hobhouse, rt. hon. Sir J.
Hobhouse, T. B.
Hodges, T. L.
Jervis, Sir J.
Labouchere, rt. hon. H.
Lascelles, hon. W. S.
Lewis, G. C.
M'Gregor, J.
Matheson, Col.
Maule, rt. hon. F.
Mitchell, T. A.
Morpeth, Visct.
Morris, D.
Muntz, G. F.
Ogle, S. C. H.
Paget, Lord C.
Palmerston, Visct.
Parker, J.
Pechell, Capt.
Pigott, F.
Price, Sir R.
Rice, E. R.
Rich, H.
Romilly, Sir J.
Salwey, Col.
Scholefield, W.
Seymour, Sir H.
Sheil, rt. hon. R. L.
Smith, J. A.
Somerville, rt. hon. Sir W.
Spearman, H. J.
Spooner, R.
Stanton, W. H.
Talfourd, Serj.
Tancred, H. W.
Tenison, E. K.
Thompson, Col.
Thompson, G.
Tollemache, hon. F. J.
Turner, E.
Ward, H. G.
Watkins, Col.
Willcox, B. M.
Williams, J.
Wilson, J.
Wilson. M.
Wood, rt. hon. Sir C.
Wood, W. P.

TELLERS.

Tufnell, H.
Bellew, R. M.

List of the Noes.

Anstey, T. C.
Broadley, H.
Cabbell, B. B.
Carew, W. H. P.
Cocks, T. S.
Dunne, F. P.
FitzGerald, W. R. S.
Forbes, W.
Forester, hon. G. C. W.
Henley, J. W.
Hildyard, T. B. T.
Hood, Sir A.
Knox, Col.
Morgan, O.
Newdegate, C. N.
Seymer, H. K.

Sturt, H. G.	Willoughby, Sir H.
Taylor, T. E.	TELLERS.
Vivian, J. E.	Wyld, J.
Vyse, R. H. R. H.	Bentinck, Lord G.

Bill read a second time.

House adjourned at Two o'clock.

HOUSE OF LORDS,

Tuesday, August 29, 1848.

MINUTES.] *Sat first.*—The Lord Ashburton, after the Death of his Father.

PUBLIC BILLS.—1ª Postage on Newspapers (Channel Islands); Royal Military Asylum; Taxing Masters, Court of Chancery (Ireland).

2ª Poor Law Auditors Proceedings Restriction; Commons Inclosure Act Amendment; Controverted Elections; Dublin Police; Transfer of Landed Property (Ireland); Nuisances and Contagious Diseases; Fever (Ireland).

Reported.—Poor Law Auditors Proceedings Restriction; Sheep and Cattle Importation Prohibition; Sheep and Cattle Contagious Disorders Prevention; Sugar Duties; Labouring Poor (Ireland).

3ª and passed:—Poor Law Auditors Proceedings Restriction; Reproductive Loan Fund Institution (Ireland).

PETITIONS PRESENTED. From Members of the Nottingham Order of Odd Fellows, in favour of the Provident Associations Fraud Prevention Bill.—From Matterdale, against the Sale of Intoxicating Liquors on Sundays.—From a Congregation of General Baptists, that Persons objecting to take an Oath, may be allowed to make Affirmation instead.—From Wray, Bolton, and Machynlleth, in favour of the Charity Trust Regulation Bill.—From Members of the Health of London Association, against the City of London Sewers Bill.—From Barnstaple, against the present Ecclesiastical Law.—From Clergymen of the United Church of England and Ireland, for the Introduction of a Clause to Recognise Formally the Thirty-nine Articles.

NUISANCES AND CONTAGIOUS DISEASES BILL.

The MARQUESS of LANSDOWNE, in moving the Order of the Day for the Second Reading of this Bill, said, the measure was intended to make provisions of a more effectual and more permanent character than those under the Temporary Act. The object of this Bill was twofold: first, to give more effectual powers for abating nuisances; and, second, to provide more effectual means for preventing the spread of contagious disorders. After explaining some of the details of the Bill, and pointing out wherein it differed from the former Bill, the noble Marquess observed, that it gave power to the Privy Council to authorise the Board of Health to issue orders for the purpose of providing rules and regulations on the appearance of any contagious disease. Of all the measures passed during the present Session of Parliament—and some were most important—with regard to the general sanitary condition of the country, none was more immediately calculated to meet the apprehension which was known to exist, and which naturally existed, as to the probable approach of the cholera morbus to this country. He was happy to take this opportunity of stating that which he thought was well calculated materially to allay that apprehension, that, although there had been a great conflict of opinion as to whether this was a contagious disorder or not, he could undertake to say, without venturing to give their Lordships any opinion of his own upon the subject, that the result of inquiries which had taken place during the first and subsequent visitations of this complaint, had induced many of those who had believed it to be contagious, to alter their opinion, and to consider it epidemic. A person of eminent skill, who had recently visited Russia, where the cholera prevailed, had come back impressed with the opinion that it was epidemic only, and not contagious; and he had collected some valuable facts and observations in support and confirmation of this opinion. The phenomena which had been observed, as connected with the disorder, showed that its causes were atmospheric; that it was influenced by the exhalations of rivers, the currents of air, and certain meteoric changes and vicissitudes; that the disturbing causes which promoted the disorder resided principally, if not altogether, in the atmosphere. He thought that the present Session should not terminate without some precautionary measure to guard against whatever might accelerate the progress of this disorder, and he therefore hoped this Bill would receive the favourable attention of their Lordships.

Bill read 2ª.

House adjourned.

HOUSE OF COMMONS,

Tuesday, August 29, 1848.

MINUTES.] PUBLIC BILLS.—1° Poor Law Auditors Proceedings Restriction.

Reported.—Post Horse Licenses, &c.; Lock-up Houses; Spirits (Dealers in); British Spirits Warehousing; Distilling from Sugar.

3° and passed:—Royal Military Asylum; Postage on Newspapers (Channel Islands, &c.); Taxing Masters, Court of Chancery (Ireland); Diplomatic Relations with the Court of Rome; Slave Trade (Equator); Drainage Certificates.

PETITIONS PRESENTED. By Mr. Brotherton, from David Boswell Reid, M.D., respecting the New Houses of Parliament.—By Sir Henry Willoughby, from the Inhabitants of Padiham, Lancashire, against the Adoption of Vote by Ballot.—By Mr. Bernal, from Inhabitants of St. Austell, and its Vicinity, in the County of Cornwall, for an Alteration of the Law respecting the Church of England Clergy.—By Sir Edward Buxton, from the Rev. Thomas Harvey, M.A., of Vane Rectory, near Rayleigh, in the County of Essex, for Inquiry respecting his Grievances.—By Colonel Thompson, from John Snooke, of 94, Wardour Street, Westminster, respecting a Life Boat which he has Invented.—By Sir Denham Norreys, from the Grand Jurors of the County of Roscommon, for Inquiry into the Working of the Poor Law (Ireland).—By Sir William Clay, from the Ratepayers of the Parish of St. Leonard, Shoreditch, in favour of the Public Health Bill.—By Sir Henry Willoughby, from the Superintending Committee of the London Provident Institution, Moorfields, against the Savings Banks Bill.

DIPLOMATIC RELATIONS WITH THE COURT OF ROME BILL.

Order of the Day for the Third Reading read.

MR. NAPIER said: Sir, I have to move that the Bill be read a Third Time this day three months, and as this Bill has been resisted by some, on peculiar grounds, I am desirous to state clearly and candidly the exact reasons which influence me in giving to it a decided but a constitutional opposition. It is presented for our adoption in this way—"Here is a State," it is said, "with which it is important we should have diplomatic intercourse; that such intercourse has been carried on in an underhand manner hitherto; it should be open and avowed. The law which regulates it has been doubtful, and should be made clear, in conformity with usage and reason." And then it is stated that this is opposed by stale and bigoted prejudices, which are at variance with the spirit of the times in which we live. In the first place, I answer, no case has been stated requiring any legislation to facilitate our intervention in the affairs of Italy. I have the high authority of the noble Lord the late Secretary for Foreign Affairs, that, in reference to such a purpose, this measure would be not merely useless, but objectionable; and after what has taken place in this House, I cannot for a moment doubt that it is not for the sake of Italy this Bill is now forced upon us by the mere power of Government. It is abundantly evident that the real object is to facilitate a policy which proposes to make use of an influence which may seriously affect the character of the constitution, the lawful supremacy of the Sovereign, and the allegiance of the people. On this principle, I have throughout consistently opposed this Bill. I abstained from any interference in Committee, except so far as I supported by my vote the Amendments of the hon. Member for Lambeth, regarding them merely as tests of the real motives of the Minister; and on mature consideration of the statements made, the statements suppressed, and the votes which have been given, I am bound to say, in the language of the right hon. Member for the University of Oxford, "We are legislating under false pretences." So far, then, as the affairs of Italy or the character of England required legislation, I think I have disposed of the case of the promoters of this Bill; and I would say this—that however unconstitutional such a measure would be if the real purpose were expressly avowed upon the face of the Bill—however plainly it would then violate those great principles which are coeval with the constitution—solemnised by the Reformation—and sealed by the Act of Settlement; tenfold, truly, is the objection increased, when, under pretence of open legislation, the purpose is concealed under language which is to be exceeded, and which may afford more convenient shelter for a Papal diplomacy, such as never has been attempted with impunity by any former Government in this country. To put a true value upon this Bill at the present period, it is necessary shortly to refer to its history. It grew out of the mission of the Lord Privy Seal. He was accredited to all the Italian States, except the Papal; it was supposed that he could not be accredited there by reason of the law of this country—to remove such an obstacle was the object this Bill first avowed. Let me here observe, that whatever impediments obstruct the desired intercourse, they originate with Rome, and not with England. The claim of the Pope to ecclesiastical supremacy conflicts with the common law of this country, of which the supremacy of our Monarch is a part: it conflicts with the Reformed religion, which regards this claim as a usurpation of Divine sovereignty; and in both respects it conflicts with the foundation of the Throne as it is fixed by the Act of Settlement. Before the Reformation it was allowable to negotiate with the Pope, but merely as a temporal prince. The limitation shows the rule of the constitution. The practical difficulty of separating the spiritual and temporal authority seems even then to have been felt; it is solved rather by casuistry than by common sense; it is increased of course by the Reformation, and since the Revolution; and so long as this claim is persevered in by the Pope, it is not possible for us, consistently with the very essence of our constitution, to avoid the difficulty which is peculiar to the question of Papal diplomacy. No doubt it was not unlawful to negotiate with the Pope, when he simply treated with us as a temporal prince; and before and since the Reformation the occasional intercourse seems to have been conducted on that principle. I entirely deny the assumption that it was underhand or unlawful, so long as it was confined in the manner which I have stated. It did not go beyond the particular emergency, nor did it violate the law; the manner of it showed a real deference to the principles of our constitution and the feelings of the people. But it is now proposed by this Bill to set up a standing system of diplomacy with the Court of Rome; it has no reference to any proper purpose, nor anything which shall forbid negotiation, unless where the Pope consents simply to appear as a temporal ruler. The principle of the law, as it exists, provides for that. The language of the present Bill disturbs and confuses that principle, and although it may not really increase the power of the Government in reference to diplomatic intercourse, it certainly affords greater facility for infringing the law, which never has been doubted—which forbids any recognition of the Papal authority beyond the limits of its Italian territory. What doubts is this Bill intended to remove? Is it as to intercourse with the Pope as a temporal ruler? That intercourse is not what is really sought; and what are called doubts, even in that case, are merely the difficulties which spring from the feelings of the people. Is it intercourse with the Pope, as claiming Divine sovereignty over the world, to ask his aid in governing the subjects of our Monarch's dominions? When and by whom has it been doubted that such intercourse is unlawful? Where is our oath against that supremacy, and why are we pledged to swear it? Because we affirm thereby the fundamental principle of the constitution; and, in the language of Sir M. Hale, by that recognition we unrivet Papal usurpation. The Roman Catholic swears that the Pope has no temporal power directly or indirectly in this realm; and though, on the principle of toleration, he is not compelled to deny the spiritual headship of the Pope over his Church, it is an influence which the constitution cannot further recognise; just as it must tolerate the Repealer or the Chartist, but could not stoop to share the sovereignty with the peculiar principles of either. I do not advert to any reasons that are not strictly constitutional: there are considerations of religious feeling, as powerful as they are profound—as sensitive as they are strong; but I am conscious that it would not be consistent with the fair exercise of my privilege, nor with a high sense of duty, to wound even the prejudice of any, when I contend here for a due respect to the feelings of a large body of the people. In reference to Ireland, it is impossible to regard this measure without deep anxiety and apprehension. The noble Lord, who is about to visit my native country (Lord J. Russell)—the noble Lord may, perhaps, be reminded that the first conspirators against its liberties and its early Christian faith were England's Monarch and the Pope of Rome. He may trace the course of events until Sir John Davis tells us, "that when the Irish had once resolved to obey the King, they made no scruple to renounce the Pope;" and he may yet conclude that it is consistent with the great principles of the English constitution, neither to allow united sovereignty nor divided allegiance. These are the grounds on which I have hitherto opposed the Bill, and on which I still continue to give it my opposition. Seeing that the purpose for which it was intended was not avowed, I think it better to meet the enemy in the first place, and declare that such a course is inconsistent with British legislation, and will, if not effectually stopped, prove detrimental to the best interests of the country.

Mr. M. MILNES said, he should not have ventured to address the House immediately after what had fallen from the hon. and learned Member for the University of Dublin, had he not known that his hon. and learned Friend the Member for Reading (Mr. Serjeant Talfourd) was prepared to supply any deficiency in his reply to the legal arguments which had just been addressed to the House. He did not wish to say anything offensive to the hon. and learned Member for the University of Dublin; but it did appear to him that he had quibbled considerably upon the word "constitution." He believed that the English constitution did not in any way admit or recognise the interference of the Papal authority with the ecclesiastical authority of this realm. But the arguments of the hon. and learned Gentleman would go to this, that every time the Roman Catholic hierarchy of this country manifested any submission to the Papal authority, they did something that was illegal and unconstitutional; nay, his arguments went so far as to justify and to render it logically necessary that all the violence and atrocities that had ever been inflicted upon the Roman Catholics of this country should be put into requisition again. He maintained that an Englishman was permitted, by the laws and constitution of this country, to submit his judgment in religious matters to whatever authority he chose. Protestants might regard that authority as false; they might condemn his submission as slavish; but still the right to do so unrestrictedly was undoubtedly his. And if the right was not impugned, why should the Protestant Members of that House say that it was an infringement of the fundamental laws and constitution of this country for the millions of Roman Catholics in this country to acknowledge the Pope as their supreme ecclesiastical authority? He could not recognise the law as laid down by the hon. and learned Member for the University of Dublin. He maintained that the Roman Catholics of this country had, by this country's laws and constitution, as much right to enjoy their religious opinions as he had to enjoy his Protestant opinions. If public order was broken, the offenders would be punished, not for holding any particular religious opinions, but because they had disturbed the public peace. Even in the gloomiest times—shameful times, indeed, for Protestantism to look back to—when the Roman Catholic religion was persecuted in this country, the Roman Catholic was punished, not for holding such and such opinions, but because such and such opinions were regarded as likely to lead to the disturbance of the public peace. The Government had found it necessary to enter into diplomatic relations with the Court of Rome; but it had been doubted whether such intercourse, in the present state of the law, would be legal. No less eminent a legal authority than Lord Lyndhurst, when he filled the office of Attorney General, declared to Mr. Canning, who was desirous of establishing such relations, that the law as it stood would not sanction any intercourse with Rome. He had heard that Lord Lyndhurst had since retracted that opinion; but it would not be decorous on the part of Her Majesty's Government on so important a question as this, to act without distinct legal sanction, and therefore it was that this Bill had been introduced. He believed that the hon. and learned Gentleman (Mr. Napier) would find that there were many persons in this country who were opposed to all intercourse with Rome, political as well as religious. Their opposition was inspired by fanaticism, and nothing else. He hardly thought it necessary to protest against the fanatic spirit by which the progress of this Bill was impeded at a time when his noble Friend the Secretary for Foreign Affairs (Lord Palmerston) had undertaken a great work of pacification—and he believed that England loved peace as much as she abhorred war—when he had taken the course of a great and virtuous Minister, it did appear to him (Mr. Milnes) that it was most unreasonable for any one in that House to say that he should be impeded in the accomplishment of that great work, because one of the means of accomplishing it—diplomatic relations with the Court of Rome—was distasteful to a certain portion of the people of this country. Was it to be said that his noble Friend might, for the purposes of peace, prevent the Austrian army from invading Piedmont, but he must not be allowed to prevent it entering the Roman States; that he might check the approach of the French to Vienna, but that he must not resist them at Ancona; that whilst his negotiations may take place in Northern and Southern Italy, there is an interval, a large portion of the middle of that great country, which English diplomacy is bound absolutely to ignore, and with which it is illegal to enter into diplomatic relations. The hon. and learned Gentleman had said that this measure might lead to an intercourse with the Pope in his spiritual capacity; but Her Majesty's Government had consented to a modifiation of the Bill, so as in that respect to meet the objections of its opponents in the House of Lords. He (Mr. Milnes), under such circumstances, could not consent to this system of continued opposition to the Bill. He denounced it as unjust to the feelings of the great majority of the Protestants throughout the country, whose feelings, he hoped it would be distinctly understood, were not represented by those who put themselves forward in that House as the great supporters of Protestant principles. He thought such restrictive laws as the present Bill was intended to remove, were averse to the true principles of Protestantism, which was friendly to perfect toleration, and needed not such support. He thought an additional reason for the passing of this Bill was to be found in the present state of Ireland. The policy of this country there had been forced into a different channel from that which it formerly traversed. The Roman Catholics were dealt with on terms of equality, and their prelates treated by the Government with all the respect due to their dignified position. An Act of Parliament recounted the names of the Roman Catholic bishops and archbishops, and the whole current of our policy and legislation of late years was utterly opposed to that interpretation of the principles of our constitution which hon. Gentlemen opposite would fain put upon it. He thought that if the Papal authority and the genuine power of the Roman Catholic religion were brought to bear upon Ireland, neither this country nor that would be the sufferer by it. It was impossible for them, looking out as they were for some hold on the unstable and excitable people of that country, trying experiments here and there to control and regulate them—to disregard altogether the Church of the majority of the people—it was impossible for them longer to say that the State could take no cognisance of the existence of that Church. It was said, that the Irish Catholic Church would be tampered with at Rome through our Ambassador; but that could be more efficiently done at present through unavowed agents. In a word, the Bill was demanded by the special circumstances of the time; and he trusted one of its effects would be the settlement of Italy—the suppression of war, and the restoration of tranquillity to that country. Peace was the dearest wish of every Englishman; and although the attempts of our Government to bring about peace might be frustrated, yet it would be a gratification to every man of right feeling to know that the British Government had left nothing untried to stop the effusion of blood and restore order.

Mr. C. ANSTEY denied, if there were secret intrigues carrying on at Rome by Ministers, to govern Ireland through the Irish Church, that that could justify the Bill before the House. But when Ministers had a recognised agent at Rome, such as this Bill went to appoint, the independence of the Irish Church would be most materially affected; for then the Irish prelates and clergy could hold no intercourse with the Holy See, unless through the medium of that agent, as such communication would still be interdicted by the third section of this Bill. Parliament had refused to pass the Catholic Relief Bill, which would have thrown open that intercourse to all; and now it proposed to restrict all communication with the centre of Catholic unity to the Protestant Ministers of Her Majesty's Government. Therefore, the hon. Member for Pontefract was wrong in calling this a measure of religious toleration. The hon. Member was also wrong in stating that the ecclesiastical intercourse of England with Rome was first prohibited in consequence of the Papal bull for deposing Queen Elizabeth; as it was the fact that such intercourse was made illegal by the Act of Supremacy, which was passed antecedently, and which led to the issue of the bull in question. It was also a mistake to conclude from the fact of no resident Minister having been sent from this country to Rome, that the present law was opposed to it. The truth was, that before jealousies arose between the two Courts, diplomatic intercourse was not conducted as it is now. There were no resident Ministers of this country at any foreign Courts until within a very recent period; and the mode in which the intercourse with Rome was now carried on by this country, was strictly in accordance with the old practice. Whenever anything was wanted, a special Envoy went; sometimes it was Garter King at Arms; sometimes (as lately happened) a Lord Privy Seal. There was then no wasteful and mischievous expenditure on what was now called diplomatic establishments. And so far as Rome was concerned, the wise economy of our forefathers was not yet departed from. He, for one, wished that they might continue long to adhere to it in that instance, and to apply it to all. The Bill before the House was still open to all the objections he had formerly stated, nay, it was more open to them than ever; and therefore he should vote against it, even if he divided against all the House. It was offensive in its nature to the Court of Rome, and a stigma cast on the Papal prerogative by this country. It was more. It was a measure framed for the subjugation of the independent Church of Ireland to the arbitrary will of a corrupt Administration, and for giving into the hand of the Minister another potent engine for disturbing peace and destroying freedom all over the world. For these reasons he should vote for the Amendment of the hon. and learned Member for Dublin University.

Mr. Serjeant TALFOURD had been an attentive listener to the debate, and watched with anxiety the progress of the Bill through every stage. He had maintained an entire silence up to this time, not from any indifference to the Bill, but because there seemed to be quite speakers enough without him — and because he thought he would best testify his regard for the precept of making short speeches by the example of making no speech at all. However, having now reached the last stage of the Bill, he would trespass for a short time on the attention of the House. He was the more anxious to do so, as he wished to explain why he had supported the Amendment of the hon. Gentleman the Member for Lambeth (Mr. Pearson). He had supported that Amendment, not because he thought it necessary to protect the subjects of the British Crown from any lurking danger in the Bill, but because he thought it would be a just concession to the feelings of a large number of the population of this country, and because it would remove every shadow of objection, and every scruple which the most sensitive could entertain upon the provisions of this Bill. It was quite immaterial to him whether this Bill was enacting or declaratory—whether the doubts which it was intended to remove were well founded or not—there was an ambiguity at all events which raised obstacles to that sort of communication with the Pope which he for one thought desirable. When he found the Bill finally adopted without a division in the House of Lords, of which the Prelates of England were the distinguished ornaments—when he found it sanctioned by the practical wisdom of the Duke of Wellington—when it removed ambiguities, was approved by such authorities, and amended by such wisdom, he did not consider it would be wise or fitting to reject it. The fact was, that a European Sovereign was placed in such a position as to render intercourse between him and this country desirable. If it were right to carry on that intercourse secretly, it was right to do it openly. Diplomatic relations were, after all, but an extension of social relations. There really was nothing dark or mysterious in the Bill, the language of which was plain and simple enough. It was somewhat surprising, notwithstanding, to see some hon. Gentlemen express such fears and forebodings of its influence. One hon. Gentleman was afraid it would make the Protestants Papists; and the hon. Gentleman the Member for Youghal was afraid it would make all the Papists Protestants. [Mr. ANSTEY: I said nothing of the kind.] The hon. Gentleman had not, perhaps, said so in express words, but that was the object of a portion of his argument against the measure. He was old enough to remember that when Dissenters were admitted into a participation of civil rights with their fellow-subjects, some old Dissenters thought such a privilege would be injurious to their religious belief by the free intercourse which it would occasion. He desired to see diplomatic relations produce that very unity which he once heard thus described by a Dissenting minister—not the unity of opinion in the bond of ignorance, not the unity of profession in the bond of hypocrisy, but the unity of spirit in the bond of peace. They saw the Roman Catholic Church in this country under an aspect which no one deplored more than he did—he deplored the secession of many distinguished Englishmen to the Church of Rome; but he could not help this, and thought the position of that Church in this country, invested as she was with all the graces of adversity, more calculated to attract than repel high-spirited minds. On the other side of the Channel they saw the Catholic priesthood so circumstanced that no fair judgment could be formed of their character or motives. No one could doubt that they were placed in a situation of great difficulty—that they filled a post of the greatest responsibility, and needed the utmost forbearance. Adversity in this country brought forth the many excellent qualities of those excellent men who, he believed, for the most part adorned the Catholic faith. But then let them turn to countries in which that religion was triumphant; let them look at it in pride and power, as it was enthroned in Milan, or connected with the glories of art in Florence, or surrounded with the wonders of Christian and Pagan genius in Rome; and, although an Englishman might be impressed with a feeling of admiration or astonishment, he believed his convictions of the truth of his own faith would be strengthened, his gratitude would be the more devout, and his attachment the more sincere to that Church whose doctrines were plain and simple—which observed a happy medium between the baldness of Dissent, and the pomp and ceremony of Catholicism. Upon what principle could we refuse that sort of intercourse with the Supreme Head of the Roman Catholic Church which we accorded to the Sultan and the Emperor of China? How did it come to pass that, whilst the Protestant countries of Holland and Prussia, and even Russia itself, entered into diplomatic relations with the Court of Rome, we alone stood out a solitary exception to the great

Christian family—the only nation which would keep up this most un-Christian stumbling-block. He thought the step was a right step, and he would therefore take it. Some expressed fears that the step would lead to mischief; but every great change might be opposed on the same ground—the art of printing might have been opposed because it led to the dissemination of infidelity and disloyalty. He would not attempt to discern mischief in the dim distance of vision; it was enough for him to see that there was nothing wrong in the measure itself—that it was meant to remedy a great anomaly, to make that certain which was before doubtful, to render that open and honourable which was before dark and underhand. He would, therefore, give his humble but unhesitating support to the Bill, believing, as he did in his conscience, that there was really no danger to be apprehended from it—that they were removing an impediment, a phantasm of law or of reality, which prevented a free and honest communion of mind; and that, in fine, we were promoting peace and good fellowship between the inhabitants of Christian States.

Mr. HENLEY thought the speech of the hon. and learned Gentleman more poetical than argumentative, and could not agree in his sentiments. It was a difficult and a complicated question. From the best attention he had given to the subject, he could not get over the difficulties, and, therefore, he would be constrained to oppose it.

Mr. SHEIL would be exceedingly succinct and brief in his statements, and would confine himself to the diplomatic part of the question. By the 103rd Article of the Congress of Vienna, the rights of the Holy See were defined and secured. England was a party to that treaty. The name of Clancarty—orthodox to this House—was attached to that treaty. It was laid before this House, and there was not a single remonstrance to the ratification of the treaty by which England became a consenting party to the securing of the rights of the See of Rome. Was it not, then, preposterous that England should secure to the Pope the enjoyment of a portion of his ecclesiastical dominions, and yet that she should deny diplomatic intercourse with the Power of which she was the virtual protector? He would pass then from 1815 to 1832. At the accession of Gregory XVI., reforms were demanded by the Roman people. They were refused by the Pope—the natural consequences ensued—revolt broke out in the legations. Austria seized Bologna, France occupied Ancona, and Europe was on the verge of a general war. What then happened? The Four Powers—Russia, Prussia, France, and Austria—concurred in a remarkable application to England. What was it? That England should send an ambassador to Rome, that so, with the general concurrence of the Five Powers, a final and satisfactory settlement of the disputes between the Pope and his subjects might be made. England had not the power to send an ambassador, but she sent an envoy. Sir Hamilton Seymour proceeded from Paris to Rome. He had now before him the correspondence which took place between Sir Hamilton Seymour and Prince Metternich. The conferences lasted for fourteen months with a view to make the best possible arrangement of the Papal States. The conference terminated in failure; but it was remarkable that Sir Hamilton Seymour addressed a despatch—dictated, he presumed, by his noble Friend beside him (Viscount Palmerston)—in which he foretold all that had since happened, and foresaw that from Rome the disturbances in Italy would sooner or later burst forth. If, then, in 1832 there was a strong reason to send a representative to Rome, surely, in 1848, when the Pope called for our intervention, and at a moment when Italy was giving birth to the most portentous events, it was most preposterous that we should not have a Minister accredited to Rome—it was most preposterous that we should not put an end to a surreptitious intercourse, which was a practical falsehold and a political absurdity.

Mr. URQUHART said, the debate completely justified the grounds of opposition which he stated when the Bill was first introduced—namely, that it was intended by means of this Bill to use the Pope as an instrument to govern the Roman Catholic Church of Ireland, in dependence upon the English Ministry. The discussion had brought out two conclusions—one, that all the legal men in the House concurred in opinion that there was nothing in the state of the law to prevent merely secular intercourse with Rome; and the other, that there was some secret religious purpose concealed under this Bill, which Ministers did not dare to avow, and which would be in complete contravention of the present law. He had no hesitation, therefore, in declaring that the Bill was brought in under false pretences, and as such ought to be opposed.

Mr. REYNOLDS said, the Bill, as it stood, did not meet with his approbation; but he could not understand how hon. Gentlemen opposite could object to the measure when they made no objection to ambassadors from the Sultan, the Great Mogul, or Shah of Persia. If he had any influence with the Pope, which he had not, he would recommend him to appoint, as his ambassador, the hon. Member for Youghal. With regard to the Bill itself, he hailed it as a proof that bigotry was declining, and he was sure the people of Ireland entertained no apprehensions on the subject.

Mr. NEWDEGATE deprecated the idea that seemed to pervade the mind of the hon. Member for Pomfret, that zeal for a religious principle was of the same nature with bigotry. He (Mr. Newdegate) thought the history of this country was a proof to the contrary. But the hon. Member did not seem to understand the nature of a religious principle, or he treated different religions as alike—a view, he was sorry to say, which was very apt to infect those who had travelled much. With regard to the Bill itself, he hoped his hon. Friends would not divide; they had already divided often enough; and he had risen only to warn Her Majesty's Government that, though by rejecting the Amendments of the hon. Member for Lambeth, they may seem to have a loophole for carrying out their covert views, still they would be acting against the letter of the Bill, and against the intentions of the House of Lords, if they were to use this measure as a means of entering into spiritual relations with the Roman See. Allusion had been made to the conduct of Russia. That country alone, of all the Powers of Europe, had been able to resist the authority of the Pope. Far from being a Conservative Power, as the hon. Member for Pomfret had asserted, the Pope had of late years proved a disturbing influence in Europe. It was the Pope who first acknowledged the new French Republic, and went to war with Austria. But the right hon. the Master of the Mint said, we had once before interfered in the affairs of the Pope. He did not object to that; but what he did object to was, that we should reciprocate that intervention, and allow the Pope to interfere with us.

Mr. J. O'CONNELL rose to state the reasons why the Roman Catholics of Ireland opposed the Bill, namely, first, because it was brought forward at a time when the Pope was in political difficulties, and, therefore, was thought to be ready to accede to any measure of this nature; and, secondly, because two of the clauses contained an absolute insult to the Head of their Church.

On the question that the word "now" stand part of the question,

The House divided:—Ayes 88; Noes 25: Majority 63.

List of the Ayes.

Abdy, T. N.
Adair, R. A. S.
Anderson, A.
Anson, hon. Col.
Baring, rt. hn. Sir F. T.
Bellew, R. M.
Bentinck, Lord G.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Bernal, R.
Blackall, S. W.
Boyle, hon. Col.
Brotherton, J.
Brown, W.
Buller, C.
Campbell, hon. W. F.
Childers, J. W.
Clay, J.
Cobden, R.
Cowper, hon. W. F.
Craig, W. G.
Currie, H.
Divett, E.
Drumlanrig, Visct.
Drummond, H.
Dundas, Adm.
Dunne, F. P.
Ebrington, Visct.
Forster, M.
Fox, W. J.
Greene, J.
Grenfell, C. W.
Grey, R. W.
Hawes, B.
Hay, Lord J.
Hayter, W. G.
Herbert, H. A.
Heywood, J.
Hobhouse, rt. hn. Sir J.
Hobhouse, T. B.
Hodges, T. L.
Hume, J.
Humphery, Ald.
Keogh, W.
Kildare, Marq.
Labouchere, rt. hon. H.
Lascelles, hon. W. S.
Lewis, G. C.
Locke, J.
Mackinnon, W. A.
Matheson, Col.
Maule, rt. hon. F.
Milnes, R. M.
Morpeth, Visct.
Muntz, G. F.
O'Connell, M. J.
Ogle, S. C. H.
Palmerston, Visct.
Parker, J.
Pinney, W.
Price, Sir R.
Raphael, A.
Reynolds, J.
Rice, E. R.
Rich, H.
Romilly, Sir J.
Russell, Lord J.
Salwey, Col.
Scrope, G. P.
Sheil, rt. hon. R. L.
Sidney, Ald.
Smith, J. A.
Somerville, rt. hon. Sir W.
Stanton, W. H.
Talfourd, Serj.
Tancred, H. W.
Tenison, E. K.
Thompson, Col.
Tollemache, hon. F. J.
Villiers, hon. C.
Wakley, T.
Ward, H. G.
Watkins, Col.
Williams, J.
Wilson, J.
Wilson, M.
Wodehouse, E.
Wood, rt. hon. Sir C.

TELLERS.

Tufnell, H.
Hill, Lord M.

List of the Noes.

Anstey, T. C.
Blackstone, W. S.
Broadley, H.
Burrell, Sir C. M.
Dick, Q.
Duncan, G.
Forbes, W.
Fox, S. W. L.
Goring, C.
Hamilton, G. A.
Hildyard, R. C.
Hood, Sir A.

Lacy, H. C.	Sturt, H. G.
Lowther, hon. Col.	Taylor, T. E.
Masterman, J.	Urquhart, D.
Mullings, J. R.	Vyse, R. H. R. H.
O'Connell, J.	Wyld, J.
Pigott, F.	TELLERS.
Scott, hon. F.	Spooner, R.
Sibthorp, Col.	Napier, J.

CONSOLIDATED FUND—ASSISTANT SURGEONS (NAVAL).

On the House going into Committee,

Mr. WAKLEY called the attention of the House to the case of assistant surgeons in the Navy, who were required by the Admiralty regulations to be very highly educated, but who were compelled to pass their whole period of service as assistant surgeons in the midshipmen's berth, and mess with the naval cadets. They, therefore, had no opportunities of prosecuting the study of their profession. The assistant surgeon in the Navy ought to be treated in the same manner as the assistant surgeon in the Army; but their relative positions were as different as could be conceived. He ought to be allowed to mess in the ward room with the lieutenants. The consequence of the treatment received by this class of gentlemen was that it was difficult to obtain competent candidates for the office. A cabin was appropriated to the admiral's butler, but none to the assistant surgeon. Cabins had been found also for the first engineer, and for the gentleman who was formerly called "schoolmaster," but who was now dignified with the title of naval instructor. He expected that the assistant surgeons would obtain justice from the present Board of Admiralty.

Captain BERKELEY denied that the assistant surgeons in the Navy were unfairly treated. The subject had been fully considered by former Boards of the Admiralty, and by a Commission appointed for the purpose, and they had decided that there were practical difficulties in the way of permitting assistant surgeons to mess in the ward room. A cabin was, on the recommendation of the Commission, appropriated, in some instances, as a place for study; but, instead of being devoted to that purpose, it was used by the assistant surgeons as a withdrawing room, where they used to drink more wine than was allowed to be drunk at the mess. With regard to the difficulty of obtaining candidates, he could only state that since the report of the Commission in 1840 no less than 261 assistant surgeons had entered the Navy. This was a matter which had better be left to the direction of those who had the practical management of the affairs of the Navy, and when they found that assistant surgeons were not to be procured it would be time enough for the Admiralty to inquire into the reason of it.

ISLAND OF TOBAGO.

Lord GEORGE BENTINCK: I rise to move—

> "That the petition of the Speaker and Members of the House of Assembly of Tobago, [presented 7th August] be printed."

There is now before the House a measure for granting a loan to the West India Islands and the Mauritius, for the purpose of promoting immigration and other purposes. I had the honour to present a petition from the Speaker and Assembly of Tobago, in which they complain of partial and oppressive policy on the part of Earl Grey in refusing them any share in any loan that may be granted for the purposes of immigration. I think, therefore, I am not out of place in insisting upon my privilege of bringing forward this question before entering upon the Orders of the Day, one of which is that the House go into Committee to consider the West India Colonies and Mauritius Loan Bill. The colony of Tobago is a small and weak colony; but the petitioners express their hope that, inasmuch as they are totally unrepresented in the British House of Commons, the House will be more disposed to treat them with leniency and liberality. They complained that Earl Grey announced in the despatch which he forwarded in answer to their memorial—both which answer and memorial were appended to the petition, but which you, Sir, decided could not be presented to the House in that form—that he could not consent, on two grounds, to give them a share of the loan. One ground on which the refusal rests, is the allegation that the island of Tobago had not previously contributed to the immigration of free labourers, and that, consequently, the parties have not the same title, in his (Earl Grey's) opinion, to relief as the colonies of Trinidad and British Guiana. But, Sir, these petitioners complain further of Earl Grey, that the principal ground alleged by him for the refusal of any assistance to Tobago is, that they have refused the supplies, an act to which their poverty and not their will, impelled them. The colony of Tobago contains about 13,000 inhabitants, and the expenditure of the island is 11,000*l.*; and the petitioners, in stating this, add that the value of the produce of the island, in the years 1831, 1832, and 1833, averaged 183,000*l.*, and that it is now reduced to much less than one-half of that sum, whilst the amount of the taxes and of the expenditure is the same. But as regards free immigration, they say that, though they have not expended any money in the importation of free labourers into the island, they have suffered very much by the competition which has seduced labourers from the smaller to the larger islands. In this way, they say, they have been seriously injured. But Earl Grey sets forth another reason why Tobago should not receive a share of those free labourers that are to be transported from the British West Indies at the expense of the Imperial Government; and it is suggested that those islands should receive those immigrants which offer the highest wages to them. But the colonists of Tobago set forth in their petition that there are other considerations of higher value in their estimation than the mere question of higher or lower wages. They state the great number of places of public worship, and of schools in connection with the Established Church, they have in proportion to the number of the inhabitants of the island, and the high state of social improvement exhibited among the negroes on their plantations; and they further allege that whilst, in 1843, the return of houses of freeholders and of renters of plantations was 712, the number has increased, in 1847, to 1,445; so that the renters and freeholders of houses attached to sugar estates have nearly doubled in the short period of four years—a circumstance affording the greatest proof that could be offered of the high state of the social institutions of Tobago, and giving the planters and proprietors in that island the strongest claim to any assistance in the shape of labour that could be afforded them. They have, too, another claim to equal justice, in this respect, with other colonies, and a claim which I must say I think very hard to answer, namely, that, if it be true that, in proportion to the extent of their lands cultivated, there is a larger population in Tobago than in British Guiana and Trinidad, and that, when slave compensation was given, it was given in proportion to the population of the islands, then the Tobago proprietors were paid at a lower rate than that of British Guiana and Trinidad; and, in common justice, they have now a claim to this extent, that if you are now, in your generosity, going to give to the British possessions in the West Indies the benefit of an importation of labourers, they, the planters of Tobago, should have their just share of that benefit. And, though I cannot speak particularly of the island of Tobago itself, yet I could show this House that the smaller West India islands generally suffer equally with the larger ones by the reduction of the price of their produce. It is an easy matter to get up in Parliament and say, that these smaller islands require no assistance: I think, however, that I have given proof of the way in which these lesser islands suffer by the general reduction of the value of the produce of the West Indies, in the diminished importations of the goods they have been able to make in the last six months of the year 1846, as compared with the first six months of the same year. But there is still another claim which I think Tobago has to the attention of this House. It will be in the recollection of this House and of the country, that Tobago has been made the subject of observation by the Secretary of State for the Colonies, to the effect that this was the island that ought to be cited as a proof of the great prosperity of the British West Indies under the present law, and also as a proof that free labour was cheaper than slave labour. A despatch was written by Major Greene, in the early part of the year 1846, and has been quoted in the course of the present Session as a proof of the great prosperity of the British West Indies, in which it was stated, that whereas it cost 8*l.* sterling to prepare and open an acre of plantation in Tobago by slave labour, the same was now done with free labour at so little cost as 1*l.* 19*s.* 10*d.* Now, it was stated in the same despatch that Tobago was an island peculiarly favoured, inasmuch as it was out of the reach of hurricanes, and generally free from those risks and hazards to which other islands were liable—indeed, that it was not only without the boundary line of hurricanes, but seldom affected by earthquakes; whilst the rains also were more plentiful there than elsewhere. The despatch also stated that its forests were, unlike those of other colonies, more abounding in singing birds, of beautiful plumage, and more exempt from the monkey tribe. But it did so happen that Tobago was but lately ravaged by one of the most violent hurricanes that ever devastated a country; and this House, in its generosity, has voted a sum of 50,000*l.* in consequence of that terrific calamity, under which two-thirds of the buildings were razed to the ground, together with a large proportion of the plantations of the island; and Major Greene had to take shelter with his family in a cellar, and from that cellar to write the account of that dire disaster, from the like of which it had been said this island was wholly exempt. I have, then, Sir, thought it only just that, when there is a measure before the House for granting relief to the colonies, attention should be called to the claims of these petitioners, and that there should be some expression of feeling on the part of the British Parliament, in order that the Secretary of State may know that, if he is disposed to visit on this ruined colony his wrath, for that it is not in a condition to furnish the supplies, this House, at all events, will not be indifferent to any such proceeding; and in calling attention to this petition, I would beg to ask, if it is intended that the Secretary of State is to have despotic power to distribute as he thinks fit a loan of half a million granted by the Commons of England; and to be at liberty to visit his wrath on every colony which, either from the ruin your measures have brought upon it, or from scourges inflicted by Providence, should be unable or unwilling to grant supplies to maintain the great expenditure to which these British colonies are exposed on a footing on which such expenditure might have been tolerable when the produce, revenues, and profits of these islands were double what they are now; but which is altogether intolerable now that you have reduced by your legislation the value of their produce below the cost of production. I take leave to ask you whether, if Tobago, small and weak of itself, is to be subject to this ban of the Secretary of State, you propose that Trinidad and British Guiana, which also threaten to stop the supplies, are to be placed on the same footing with Tobago? If so, for what purpose are we voting this grant of 500,000*l.*? Is it to be swallowed up by some servile colony that never showed any independence, or exercised the right of a free and independent people to stop the supplies when they think they have suffered intolerable grievances? Sir, I know that this petition has been printed already, though smothered up in the Appendix to the Votes; but, as I was requested to bring it more fully under the notice of Parliament, by moving that it be printed as I have proposed, I have thought it my duty to make these few remarks; and I have now only to add that, as I feel I shall have answered the purpose of the Assembly of Tobago by having thus called attention to their petition, I shall not now persevere with the Motion with which I commenced, and which I will now, with the permission of the House, beg to withdraw.

Motion withdrawn.

EXCHEQUER BILLS BILL.

On the Motion that the House go into Committee,

MR. HUME said, that this was a Bill to create a loan of 2,000,000*l.*, and, in this time of peace, to add permanently to the debt of this country 60,000*l.* or 70,000*l.* a year, as well as to borrow money by an extravagant and expensive mode. He intended to take the sense of the House against the principle involved in it of borrowing money at all in time of peace. It would perhaps be recollected that early in the present Session of Parliament, on the 25th of February, he had urged the Government to reduce the expenditure within the revenue—the deficiency in the revenue being then about 2,900,000*l.*, and called the attention of the House to the necessity of limiting the expenditure to the actual income of the year; or, if they could not do that, to the propriety of providing, by taxation, to meet the excess that had to be supplied. On that occasion, however, the numbers, when the division was taken, were 157 for continuing the heavy expenditure, against 59 for his proposition. Foiled in that, on the 13th of March he held that it was absolutely necessary, whilst they were continuing the income-tax, that that tax should be limited to one year, and that, in the mean time, the Government should examine all their estimates, and endeavour to reduce the expenditure within the amount the tax would warrant. The House, however, differed from him, and 363 Members voted against his Motion, showing, he must confess, a most unequivocal determination to continue the tax, and to oppose the inquiry that was so much required. Again, on the 20th of March, he proposed to reduce the number of men to be voted for the Navy from 43,000 to 36,000, intending, at the proper time, also to propose to reduce the number to be voted for the Army, as well as to propose a general reduction of the whole of the expenditure of the country. The Ministry had again a majority of 347, whilst only 38 Members voted with himself. On the 24th March, again, an hon. Member submitted to the House the propriety of limiting the public expenditure to a considerable extent, by withdrawing the squadron from the coast of Africa, which was not only utterly useless, but was producing incalculable horrors for the unhappy race in whose behalf it was placed there. That Motion, which was for an Address to the Crown on the subject, was resisted by 216 votes, and supported only by 80. He had always objected even to the principle of taxation at a time when their expenditure was capable of reduction; and when the first vote for the Army was proposed, and the number of men to be voted was 113,000, he proposed to limit the number to 100,000; but, on a division, the large number was supported by 293 Members, 39 only supporting the proposed reduction. So far as he was concerned, then, he had held by the principle, and had acted upon it, that no debt should ever be incurred in time of peace, except on some extraordinary occasion, such, for instance, as the late famine in Ireland, which constituted an exception to the general rule. But now Ministers came, with a deficit of nearly 3,000,000*l.* in reality, and proposed a loan. He looked with great alarm to the fact of the country thus going on, in a time of peace, adding to its permanent debt, particularly when commerce was not flourishing, and when the great increase in poor-rates and decrease of profits were considered. To proceed in this way would lead, in the end, to inevitable disaster. It had been admitted that taxation had been carried to the utmost limit the country could bear. With these facts before them, therefore, was it not important to consider whether the Government ought not to have reduced the general expenditure? A great increase had taken place since 1826. He complained, not only of the great amount of debt that had been incurred, but also of the management of their finances having been against principle. Borrowing was not a provision—it was the act of spendthrifts. Looking at the state of the crops in this country, but more particularly in Ireland, as well as at the general state of trade, he did not think next year's prospect flattering; and the time had arrived when that House must grapple with the great difficulty that presented itself. The scale of the public establishments was beyond what was either necessary or prudent. When he looked at the expense of the African squadron, at the extent of their naval and military establishments — nearly double what they were twenty-five years ago—he must enter his protest against the proceedings of that House. By a paper he held in his hand, he found that the gross amount of the expenditure of the country was ten millions more than it was in 1836. The House ought to be ashamed of itself. He had looked over the items, and he did not find the slightest difficulty in discovering where the reduction might be made, and which—had the House done its duty—would have been made. If the House had supported his Motion respecting the Army and Navy, there would have been no necessity for an increased income-tax or the present Bill, for the reduction would have been large enough to have met the two millions of deficiency, to provide for which they were now called upon to borrow. Large reductions ought also to be made elsewhere. For our forty-four colonies, the charge for military was 2,556,000*l.*; the civil charges, 541,000*l.*; and the Navy required by the colonies, excluding the original cost of the vessels, 74,000*l.*: making a total of 3,171,000*l.* If the noble Lord at the head of the Government acted on his own principles, as he stated them in his letter to Lord Sydenham, no less a saving at once than 570,000*l.* could be effected. If the colonies were allowed to exercise the power of governing themselves, and allowed to apply to the expenses of the colonies the Government land, from which not one farthing had ever been obtained by the Government, but the whole had been jobbed away in a most disgraceful manner, he would venture to say that not one farthing for civil expenses would be required, instead of adding, as now, to the charge on the debt year by year. He had heard it hinted by many that the faster these additions to the debt were made, the better, as it would only hasten a dispute with the fundholder. He, however, warned the House that if ever they broke faith with the public creditor the sun of England would be for ever set—her power would for ever cease. He was anxious to reduce the debt; and did they now possess the money which had been paid since the last war for loans they might get rid of the Excise altogether, and give a manifest and coveted facility to commerce, and add infinitely to the enjoyments of social life. As had been well said by the hon. Member for West Surrey (Mr. Drummond) the time was not far distant when this must be looked to; and if those who now had the government of the country did not take that view, their places would soon be taken by those who would make the experiment. While storms were raging around us, it was necessary to put our own house in order. For the purpose of recording his opinion against borrowing in a time of peace, and against the thriftless manner in which the Government had proceeded, and, above all, against the extravagant establishments which this year they had determined to keep up, he moved that the Bill be read a third time that day six months.

Mr. MUNTZ seconded the Motion, and complained that the Government not only proposed a loan, but had brought out their budget at an unusually late period. It was the latest budget that ever he had heard of. The Government had led the House and the country to believe that they should be able to do without additional taxes, or the adoption of any extraordinary measures, and having done so, the House had felt comparatively easy on the subject. But the Government seemed to have been waiting until so few Members were left in the House that it could carry whatever it liked. The system of funding was like a man who had spent more than his income, making up the deficiency by borrowing; and, in a nation as in an individual, such a system must lead to ruin. It was the resource of all bad Governments when other means failed of making both ends meet. When he first came into the House, he found the Whig Government in the last stage of existence, trying to patch up its own want of management by a measure which never had and never would succeed. The right hon. Baronet the Member for Portsmouth (Sir F. Baring), in trying to meet the diminution of the revenue, talked—as all Chancellors of the Exchequer talked—a great deal of nonsense about the elasticity of the country, and proposed new taxes. These measures failed, and the great physician was called in and the fees paid. Never had he seen the great physician in such a state of anxiety as he was for many months; and the first thing he resorted to was a property-tax, which he carried, although opposed by the Whig Government, and every man of the Liberal party except himself. They all abused him for supporting the right hon. Baronet (Sir R. Peel); but he did so because the proposition taxed the rich instead of the poor. Well, when it came to be proposed again, the Whigs to a man all voted for the tax. They thought, no doubt, that they would soon be coming into office again, and that it would be a nice penny to have the handling of. The right hon. Baronet boasted of the state of things which followed, and particularly of the increased trade in India. He told the right hon. Baronet at the time that his boastings were premature, for that, as it was a mere consignment trade, its briskness could not last, and that it would, moreover, ruin all parties who were engaged in it. That prediction, he regretted to say, was true, as hon. Members well knew. Then the prevalence of railway speculation followed, by which the state of the country, no doubt, was for a time improved. The prices of food rose above their natural level; and those of manufactures rose above the prices of foreign manufactures. That, of course, checked exportation, and a considerable balance against us was the consequence, taking, as all balances did, a large amount of the precious metals to supply the difference. That brought on the pressure which threw the right hon. Baronet out of office. They had now the Whig Government in power again. He would not say a word as to how they got there—and how they were kept there—but they had placed the country in much the same position as that in which it was when he first entered the House. The revenue had fallen below the expenditure, and was still falling off. Trade was stagnant, the population were badly employed and badly paid, and were in a state of discontent almost approaching insurrection. No men could govern this country with comfort to themselves or its inhabitants, unless honest, industrious people were enabled to get a living. If honest, sober, industrious men could not find employment, the fault was with the Government. Many attempts had been made, but except for short periods, when they had departed from the system, all Governments had failed and broken down; whether it had been that of the right hon. Baronet, who had had a measure of success, or whether it had been that of the Whigs, who had gone on, peddle, peddle, peddle, and done nothing at all. His hon. Friend (Mr. Hume) had talked of the national faith—and he had no objection to keep up the national faith—but it was a national humbug if it were all on one side. If it were kept for the benefit of one class at the expense of all the others, it was a sheer robbery of every other interest. He knew if he said anything about the currency it would be called "Brummagem;" but in the long run the Brummagem doctrine would prove the soundest and the best. What could be more disgraceful than the present state of affairs? So great was the want of confidence throughout Europe in our merchants and bankers, that it was impossible to get a bill cashed. Ho knew a party who had been travelling in Italy last year, and the most unexceptionable bankers' bills were not negotiable. Was not that disgraceful to this country; and was it not a state of things which afforded a significant comment on the Act of 1844? He never knew things in a good state in this country when six men could be got together to talk politics. No man, however evil his designs, or cunning his inducements, could obtain a meeting on any subject when trade was good. He had in his day assisted in agitations, and he knew how it could be done and how it could not be done. If the Government wished to draw the teeth of the people, let them make the people prosperous. No people in the world were easier governed, provided they received a just remuneration for their labour; but if the Government could not go on without loaning and funding, they would find the government of the country a most difficult task.

The CHANCELLOR of the EXCHEQUER would be the last person to complain of the course pursued by the hon. Member for Montrose with respect to the reduction of expenditure; but whether the reductions proposed by the hon. Gentleman were practicable, consistently with a due regard to the permanent interests of the country, was an entirely different question. If on former occasions he had been obliged to the hon. Gentleman, he was certainly obliged to him to-night for having given the best vindication that could be offered of the course of conduct which Her Majesty's Government had pursued. The hon. Gentleman had stated the various divisions which took place in that House on the different propositions he had made with the view of reducing the establishments of the country; and he very fairly stated, not so much imputing blame to the Government as imputing blame to the House, that an overwhelming majority of that House, when such reductions were proposed, concurred with the Government in thinking that, with a due regard to the safety of the country, it was impossible to reduce the establishments of the country. Such being the conclusion to which the House had arrived in the early part of the Session, he did not think any person would say anything had occurred since to persuade the House or the Government that their decision was wrong. No one could say, looking to the interests of the country and to the safety of the loyal subjects of Her Majesty, it was possible to dispense with that force which the Government had proposed and the House had voted. He would not at this time enter on the subject of the African squadron; but the report of the Committee on that subject was now before the House. After the hon. Member for Montrose demonstrated to the House that it had throughout supported the Government in maintaining the establishments of the country on the footing which the Government thought necessary, the hon. Member adverted to the subject of taxation. There were only three modes by which it was possible to equalise expenditure and income: first, by increased taxation; secondly, by reduction of establishments, which the House did not think expedient; and, thirdly, by having recourse to some such means as that now before the House, by which, in some way or other, money should be borrowed for the purpose of defraying unforeseen expenses. The hon. Gentleman seemed to be of opinion that the acme of taxation had been reached; and in that view he (the Chancellor of the Exchequer) did not need to seek any further justification for the course he had pursued. He did not say he agreed with the hon. Member for Montrose; but if the hon. Gentleman said it was impossible to impose additional taxation, he did not see that he could have adopted any other course than that which, very unwillingly, he had been compelled to adopt. To defray a temporary expenditure, over which no control could be exercised by the Government, such as that of the Caffre war, he thought, if it could not be met out of the income of the country, the second best course was to cover such temporary expenditure in the manner he proposed. He did not think it expedient to have a permanent tax for a temporary expenditure. He could not agree in the opinion that there was any reason for despondency or alarm. What the Government had to keep in view, as of primary importance, was that the expenditure of the country should be reduced as far as possible without endangering the safety and interests of the country. If the Government had reduced the estimates 800,000*l.* below the amount announced in the early part of the Session, they had been obliged to give up many things which, under other circumstances, it would have been more advantageous to retain; they had been obliged to spread over a number of years the execution of works which, in the long run, it would have been better economy to complete at once. With the possibility of reduced expenditure in future years on the completion of these works, he thought they would not have been justified in proposing increased taxation if they had not tried first whether they could not, by reducing their expenditure, bring it within their income. The hon. Member for Montrose spoke of the increased charge for the national debt; but a paper for which the hon. Member for Liverpool had moved showed that there had been a reduction on that head in seven years to the amount of 1,000,000*l.* The hon. Member for Birmingham stated, that when he first entered that House he found the finances in a somewhat similar state. But when the right hon. Baronet the Member for Tamworth applied a remedy by imposing an income-tax, a temporary exigency was provided for by a loan. It was utterly impossible to make reductions in taxation, unless the revenue were supplied by other means. With respect to the depression under which the country had since suffered, the change of circumstances was not owing to the conduct of the present or the former Government. It arose from a great failure of food in this and the sister country; and it was felt necessary to export the precious metals largely to purchase food. Those were circumstances over which the Government had no control. The consequence of the altered state of matters had been a great want of employment, and the pressure of distress accompanied by some discontent. The hon. Member for Birmingham said, that there never would be perfect tranquillity in the country till every person was fully employed; and while he deprecated ridicule of the Birmingham school, he seemed to maintain that it was not by developing industry, not by taxing the rich, not by establishing free trade, that so happy a result was to be attained. All these had been tried in succession; the hon. Member said they had certainly failed, and that something else must be done, which something else seemed to resolve itself into the adoption of the principles of the Birmingham school. He had listened with attention to his hon. Friend; but he confessed he could make nothing more of his speech than what he had just stated. He would not, however, pursue the subject further, knowing very well that if he did so it might lead to an interminable discussion.

Mr. H. CURRIE complained of the present measure being brought forward at so late a period of the Session, and of adding to the debt in a time of profound peace. Had the Chancellor of the Exchequer come down to the House and frankly stated that he had cut down the expenditure to the lowest possible sum, and that there was still a deficiency, the people would have at once submitted to increased taxation rather than to an increase of the debt. He begged to enter his protest, therefore, against the principle of the measure, and to express his regret that the Chancellor of the Exchequer had brought it forward at the eleventh hour, when there was no opportunity of making any alteration in it.

Mr. HEYWOOD, considering the peculiar circumstances of the country, thought the measure perfectly justifiable.

Mr. WODEHOUSE, as one of the very few survivors of the large host who had resisted the reductions proposed by the hon. Member for Montrose in the earlier period of his life, begged to say that he looked back upon the course which he then took with unmitigated satisfaction. Sir H. Taylor, who was secretary to the Commander-in-Chief at the time, told him that, in consequence of yielding to the hon. Member for Montrose, the 50th and 92nd regiments were sent out from this country at an improper season of the year—they arrived at their destination in one of our colonies at an improper season—they were exposed to a peculiarly unhealthy season, and in the course of a year and a half these two regiments thereby lost 600 men, and between 20 and 30 officers. So much for the hon. Member's proposal with reference to the Army. With regard to the hon. Member's proposal to withdraw the African squadron, he begged to say that the unqualified withdrawal of that squadron—looking to all the circumstances that had taken place on the subject of the slave trade—would be the most ignominious course of conduct this country could pursue.

Sir H. WILLOUGHBY said, that if the hon. Member for Montrose should press his Motion to a division, he would divide with him, because he held that in a time of peace it was the duty of the House to resist the system of borrowing money, and thereby adding to the debt. If, however, the Chancellor must raise the required 2,000,000*l.* by borrowing, he ought at once to state the precise form in which he was determined to raise it, because the effect of allowing himself the option of one of two ways was to lead to doubt and hesitation with regard to both classes of stock.

Mr. HENLEY thought that there had been a great deal of wandering from the real question before the House. That question, he believed to be, whether the two millions were to be borrowed or not. He was surprised that the right hon. Baronet the Chancellor of the Exchequer had not explained the reasons which had induced the Government to change their minds on the subject. The right hon. Baronet had originally asked the House to agree to the continuance of the existing income-tax for three years more, on the understanding that it would be sufficient to enable them to meet the wants of the country, or, as the right hon. Gentleman had termed it, to tide on, for that period. The question to be considered was, had there been any change since to account for that engagement being abandoned? and on that question he was surprised that the right hon. Gentleman had not afforded the House more precise information. When the right hon. Baronet had made that promise, the anticipated deficiency was three millions; and since then the estimates had been reduced 700,000*l.*, or 800,000*l.*, and the deficiency was now reduced to two millions, and yet they were now told that they should resort to a loan, of which they had heard nothing on the former occasion. [The Chancellor of the Exchequer: I stated all the reasons on Friday night.] No person objected more strongly than he did to loans during a time of peace. He thought the practice highly dangerous and mischievous, and that it had the same tendency in public affairs as in private life, of leading to a reckless, needless, and profuse expenditure. But still he confessed that when the right hon. Baronet spoke in the spring of the year of meddling with the balances in the Exchequer, in order to tide over the deficiency of the present year, he regarded it as being in effect tantamount to a loan. And when he recollected the proceedings that had since taken place in Ireland, and the bad prospects which they had before them with regard to the harvest, he could not but feel that it was better for the Government at once to take the step which they now proposed, than to go on in the from hand-to-mouth system which the right hon. Gentleman had originally proposed. As far as he could judge, there was nothing in the position of the country which enabled him to see that the Government were acting unwisely in the course which they had now taken.

Mr. HENRY DRUMMOND said, that if the question simply involved the recording of an opinion, he would have no hesitation in voting with the hon. Member for Montrose; but, unfortunately, the duty of the House of Commons did not consist in merely recording opinions, but in carrying on the business of the country. He had therefore to consider what would be the effect of carrying this Motion against the Government. Notwithstanding what he had said the other night, he was perfectly certain that no economical reforms could be safely carried out, except by the Government themselves. The thing which the country had yet to understand was the amount of the evil, for people generally had as little idea of the immense amount of 800,000,000*l.*, as they had of the distance of the sun from the earth. He could not forget that there was no instance of a great revolution occurring except from pecuniary pressure. It was well known that the first French Revolution was owing to the extravagance of Louis XIV. A similar cause produced the revolution the other day; and in Rome and Austria it was the same thing. Remembering, however, the threats which were held out against this country on the part of France—remembering the events which had subsequently occurred, both there and elsewhere—he admitted that it would not have been wise in the Government to have attempted a reduction in our armament this year. He begged to notice one observation of a mischievous character, which had been made by the hon. Member for Birmingham—he believed without his intending it—namely, that any Government, no matter whether republican or monarchical, could insure food and clothing to the people. Such a thing was utterly impossible. Believing that it would be prejudicial to the interests of the country to embarrass the Government by carrying the present Motion against them, he would oppose it, although he agreed in its principle.

Mr. URQUHART said, that the noble Lord at the head of the Government had distinctly stated at the commencement of the Session that the House would have either to grant the increased property-tax which he had asked for, or to reduce the establishments. With that alternative before them the House refused to grant the tax, and yet the noble Lord left the establishments as they were. As he could not concur in the necessity of the expenditure, he should be prepared to vote in favour of the Amendment.

Mr. NEWDEGATE said, that the present deficiency was the necessary result of the policy of the right hon. Baronet the Member for Tamworth, who had given up eight millions of Customs duties, and imposed an income-tax in their place, yielding some five-and-a-half millions. The question which he had to ask himself was, would he refuse the supply, because a vicious legislation had left no means of raising it; and he must say that he was not prepared to do so. He was not prepared to leave the people of Ireland to starve, or to reduce the establishments at a time when Europe was in such a a state of inquietude as she was now in; but this he was prepared to say, that their deficiency was their own act.

Mr. COBDEN was at a loss to understand the meaning of the hon. Gentleman who had just sat down; he had reiterated the opinion he had just stated at least a dozen times in his own hearing. Now, he wanted to put a plain question to the hon. Member. The hon. Member had said that the revenue had fallen in consequence of the adoption of free-trade measures. Now he (Mr. Cobden) would ask him whether the gross revenue for the last twenty years had ever been so great as it had been this year? [Mr. Newdegate: The revenue is larger, but the necessities of the country are greater.] He wanted to fix the hon. Gentleman to this one point; because if he could by coming to an understanding on it, succeed in putting an end to the reiteration of which they had been the victims during the present dreary Session, he should think he had done a great service to the House when they met again. It was now admitted that the gross revenue was larger in the present year than it had been for the last twenty years. [Mr. Newdegate: The hon. Member misrepresents me. I admitted no such thing. The revenue for 1845 was larger than the revenue of the present year.] He had read every item in the return which had been furnished with reference to the revenue since 1823, and he believed that that return would bear him out in his statement with hardly the exception of one year. The question was whether they were spending too much money. Almost everybody admitted that there was enough paid. Did the hon. Member think he was advocating the interests of his constituents in Warwickshire when he complained that there was too little revenue paid? When the taxes on coffee, sugar, and other articles of that kind were reduced, did the hon. Member think that his constituents regarded that as an evil? And did he mean to prescribe as a remedy for the distress of the country that they should put on more taxes? He (Mr. Cobden) was perfectly at a loss to understand the drift of his argument. The complaint was that taxation was too great, and the expenditure excessive—upon which the hon. Member came forward and said—"You have taken too many taxes off." He (Mr. Cobden) maintained, on the contrary, that there were too many taxes still, and that they must take off more. He was equally at a loss to understand the speech of the hon. Member for Oxfordshire (Mr. Henley). When he heard the beginning of that hon. Member's speech, he concluded that he would vote against the proposition, and in favour of the Amendment of the hon. Member for Montrose. The hon. Member certainly spoke in favour of the Amendment; his arguments were all that way; but he wound up by declaring that he would vote for the loan. Now, he had to complain that the hon. Gentleman had himself contributed to render the loan necessary, because when he advocated economy, the hon. Member taunted him with taking a pounds, shillings, and pence view of the question. The hon. Member for Buckinghamshire had also taunted him in the same way. Now, if those hon. Gentlemen, the leaders of the country party, would assist those who represented large constituencies in reducing the expenditure, there would be no necessity for loans. Until the freeholders and farmers who sent the county Members to that House took the matter into their hands, and insisted that their representatives should help the representatives of large constituencies in reducing the expenditure, the Government would go on borrowing money and increasing the taxation. He justified his opposition to the proposed loan on the ground of the vote he gave to the Motion of his hon. Friend the Member for Montrose on the 25th of February last, that it was expedient to reduce the expenditure of the country in order to render an increase of taxation unnecessary. But he admitted that it was not only perfectly consistent but quite right for the hon. Member for Oxfordshire and his Friends, who opposed that Motion, to vote now for raising the money somehow. It was most discreditable on the part of those hon. Members who, after having voted for the expenditure of more money than the Government had at its disposal, had gone to the moors, or to the Continent, leaving the Chancellor of the Exchequer with a House of some 40 or 50 Members to get 2,000,000*l.* how he could; and, if no other means were left, to borrow it. He objected to the system of borrowing, more than he did to the imposition of a tax. If you depended on a tax, the difficulty of raising money by that means might check expenditure; but if you calculated on borrowing, you might go on expending money for ever; for there would be no end to the system, nor to your extravagance. But he did not blame the Government either for the deficiency, or for asking leave to borrow in order to make it up. They were quite justified by the great majorities which had sanctioned their expenditure; and the House was alone responsible. At the same time he considered that no Government ought to permit themselves to be placed in the position in which the present Government now stood. They ought to say—"If we cannot defray the expenditure of the country by means of taxation, we will not consent to hold office." That was the language held by the right hon. Baronet the Member for Tamworth, who declared that he would not remain Minister unless Parliament permitted him to make the revenue equal to the expenditure; and the declaration tended greatly to strengthen his Administration, by inspiring confidence, and leading the country to believe that in those words they possessed a guarantee that there would be a limit at length put to their large expenditure, and a termination to the system of borrowing. But now they had departed from that principle; and, unless it were looked upon by the House as a most imminent and vital question to stop this system of borrowing, he saw no reason why they should not go headlong into that state into which the hon. Member for Surrey had described France and Austria to have been thrown by their financial embarrassments. Those countries were almost gone to ruin; and no doubt England would share the like fate, unless the people or Parliament should at once put an end to the system. It was not merely taxation for imperial purposes which was pressing upon the country; there was the local taxation to be considered; these, together, amounted to not much short of 70,000,000*l.* sterling. He defied them to continue raising that amount of money. They could not go on with their poor-rates, their county-rates, and their borough-rates, to say nothing of rates raised for religious purposes, in addition to their imperial taxation; which, including the expense of collection, amounted to not less than 70,000,000*l.* this year. It was a monstrous sum; and it was impossible for them to go on collecting it. He was surprised at the illogical conclusion of the hon. Member for Surrey's speech, for he had given all the benefit of his argument to the Amendment, though he could not give it his vote. The hon. Gentleman had said that it was not possible, at the beginning of the Session, to reduce our armaments, owing to the then state of Europe. But the hon. Gentleman should have borne in mind that those armaments were all settled before any disturbances on the Continent. That should always be borne in mind. It was proposed to add to our expenditure by fortifying our coasts, and raising a militia long before the French revolution was ever thought of. But when, after the revolution, it was argued that the expenditure was too large, then it was urged that by reason of that revolution it was impossible to reduce our armaments. Still, as if it were to show that he and his Friends were right both before and after that period, and that the Government were wrong, what had been done? The militia had been abandoned, and the estimates for the Army, Navy, and Ordnance, had been reduced by a sum of between 700,000*l.* and 800,000*l.*—a sum, however, which the Chancellor of the Exchequer had said was not to be a saving to the country, but to be expended some years hence. But the very fact of withdrawing it this year proved that his and his Friends' argument was right when they said that there was no great danger of the country being invaded. If there were any danger, surely this was the time for raising the militia, and keeping up the military and naval force of the country. But, no—he would assert that the cry which was raised before the meeting of Parliament about the danger of an invasion by a foreign enemy was a wicked cry—it was a delusion practised upon the country—a monstrous delusion got up by professional men with a view to frighten the country, and compel them to submit to increased taxation. He would now address one word to his hon. Friend the Member for Birmingham. He quite agreed with the hon. Member for Surrey, that it was a most dangerous doctrine to advance, that it was the duty of Government, under all circumstances, to find employment for all who were able to work, and of good character. [Mr. Muntz: No, no!] He was glad such a doctrine was disavowed. He believed there might be circumstances in which the most prudent Government could not insure food or employment for the population. Take, for instance, the Swiss cantons. Nobody would deny that there a cheap Government existed, and yet a large proportion of the population was obliged to emigrate to find food and employment. The same was the case with regard to the New England States of North America. There the Government was a frugal Government, and the people were well educated and of good character; yet many of them were obliged to emigrate to find employment and subsistence in the interior of the country. The same necessity might possibly exist in regard to the people of this country, without the Government being necessarily responsible; but his belief was, that if the country, with its immense accumulation of capital, were properly governed, and there were not an undue amount of taxation, abstracting from the earnings of industry, every able-bodied man of good character and willing to work might be employed. He should vote against this loan and against every penny that was proposed to be raised by borrowing in any shape whatever.

Mr. MUNTZ explained. He did not think it was the duty of the Government to find work for the people; what he said was, that if Government understood the real principle of governing, every industrious man would naturally have employment.

Mr. J. O'CONNELL said, the cost of maintaining an army in Ireland was ordinarily 1,000,000*l.* a year. This year it would amount to 1,500,000*l.* or 1,600,000*l.* Now, if Ireland were made contented by having justice done to her, one-half of this expense might be saved. Again, if means were given to Ireland to acquire riches, she would consume taxed articles in a greater proportion than she did now. At present she only paid 3,000,000*l.* to the revenue on consumable articles; make her rich, and she would pay 9,000,000*l.*; thus a revenue of 6,000,000*l.* might be created without imposing a single tax on the country. He believed there was only one measure by which this could be done—a measure which would make the people stay at home and spend their money in that country.

Mr. SPOONER would not have risen to take part in the discussion had it not been for the observations of the hon. Gentleman the Member for the West Riding. He (Mr. Spooner) denied that the revenue in the present year was equal to that of 1845, as in 1845 the revenue was 54,417,615*l.*, while in the present year it was little more than 52,827,000*l.*, showing a deficiency of 1,764,000*l.*, or very nearly equal to the sum now required to be raised. He warned the Government how they depended upon the income-tax for next year, as he had the best possible means of knowing, the tax would not yield anything like the sum it had produced last year. He regretted to find that such a depression existed in the money market, for he feared that if money was required for war purposes, the Government could not raise 20,000,000*l.*, notwithstanding that during the late war the Government raised the enormous sum of 130,000,000*l.* in one year. Although the late Lord Ashburton was an advocate of the Bill of 1819, the noble Lord confessed, in a conversation which he had had with him a few weeks before his death, that such was the financial position of the country, that it was his own opinion that—in the event of a war rendering it necessary that 20,000,000*l.* should be raised by way of loan—the Government of England would find it extremely difficult, if not impossible, to raise it. He disapproved of borrowing money during a time of peace; but as a certain liability was to be met, he would not refuse his consent to the Bill. The right hon. Gentleman would not be able to raise the amount of taxation required, in order to balance the receipts and expenditure, if the present commercial and currency system were persisted in; and, therefore, in giving his assent to the proposition, he wished it to be distinctly understood that he in no way had altered his opinion on the subjects he had just referred to.

Mr. J. A. SMITH would vote for the proposition of the Government, because he believed that they had done all that was in their power to avoid the position in which they were placed. They, in the first instance, proposed a tax to meet the deficiency; and it was with regret that he saw them compelled to abandon it. The present peculiar position of affairs justified the course they were now taking. That was the ground upon which his vote would be given. He believed that the present state of Europe, and of the whole world, justified the Government in conceding and yielding to what he understood to have been the deliberately pronounced opinion of the House of Commons, that it was not expedient to increase taxation this year; if so, then there was no other way of making the expenditure and the revenue equal than by a very large reduction of the expenditure. But he was one of those who believed that the state of Europe and the world made it most inexpedient that England should reduce her expenditure more than she had hitherto done. He was not afraid either in that House or elsewhere to avow it to be his belief that even the reduction which had already taken place might not have been wholly prudent. At the same time, he would not lend himself to any party that would raise a cry of war to induce the Government to maintain large establishments; and he had heard with the most sincere regret the expression of an opinion on the part of the hon. Member for the West Riding, that the necessity of being prepared for war had been propagated by professional men for merely personal and most unworthy objects. He believed that was a sentiment unworthy of those to whom it was attributed, and it was with astonishment that he heard such an imputation proceed from a Gentleman of such general knowledge as that hon. Member. He believed that there was, both out of the House and in it, but one general feeling—namely, that of gratitude to God for the peace and tranquillity which had prevailed in this country during the disturbances which had agitated the rest of Europe; and that they owed that tranquillity to the wise foresight which prevented them from being agitated by discussions necessarily attending great political changes, and to that preparation for resistance, if attacked, which was the greatest safeguard and the greatest surety of peace.

Lord G. BENTINCK thought the hon. Gentleman the Member for the West Riding was the last person, either in or out of the House, who should have charged his opponents or any other persons with having created wicked delusions. The hon. Gentleman had his crotchets. He might think that our expenditure might be reduced 17,000,000*l.* by one single slash of the knife, but he would find few persons to coincide with him in that opinion; and if it were possible now to diminish the defences of the country with security, he would take leave to say we were in very different circumstances from those in which we were placed at the end of the last and the commencement of the present year. At that time the empire of France was in all its power. Recommendations for the increase of its marine force, to enable France to bridge the Channel and burn the British fleets in the Thames, were suggested by the Prince de Joinville in 1844, and they were carefully carried out; and a great increase in the maritime power of France was created without any justification except some reservation in the minds of its rulers to use them against this country. But when the hon. Member said he would rather lay on a tax than borrow money, would he ask him why he had not kept his word? He had not last night, and he would not to-night, support a measure, not for imposing, but for repealing taxation. We had heard from the Chancellor of the Exchequer to-night—and he was glad to hear that sentiment from him—that he was conscious that when the people were out of employment they become disaffected, and that the surest way to secure the attachment and affection of the Queen's subjects was to keep them in full employment; that even those in the higher class of life were apt to be less contented when they were in distressed circumstances. If that was the doctrine of the Chancellor of the Exchequer, how did he justify to himself all those measures which he supported, of which the necessary effect was to throw thousands of the Queen's subjects out of employment? He was one of those who would have refused to come to a vote to add to the property and income-tax; and he was one of those who voted with the hon. Member for Montrose to retain the property and income-tax at its present amount for a single year; but the House, although it was prepared to refuse the

Chancellor of the Exchequer an increase or the income-tax, was never asked whether it would refuse to consent to taxes of customs or revenue. Had the noble Lord and the Chancellor of the Exchequer come to the House and asked them to reimpose some of those taxes of customs which had been lately repealed, and to continue others that were soon to fall to the ground, he, for one, should have given the noble Lord and the Chancellor of the Exchequer his hearty support. Now, it had been justly stated by his hon. Friend the Member for Birmingham, that the taxes that had been reduced would have amounted to the value of all the deficiencies of which the noble Lord had now to complain. The hon. Member for the West Riding of Yorkshire stated, in a tone of great assurance, that notwithstanding this reduction of customs duty, the net revenue of the country could never be so large as it was last year. With the papers before him, he was astonished at the boldness of the asseveration, and, for the moment, was inclined to believe it; but looking at the paper signed by Mr. Parker, and moved for by Mr. Cardwell, he found that in the year 1847 the net income was but 51,451,609*l.*, when in the year before, 1846, before a great part of these customs duties was reduced, the income was 53,626,178*l.*, being 2,174,569*l.* more than the revenue in the last year. So that we should now have an ample surplus instead of being in a deficiency, if it had not been for the alteration of customs that had taken place in the last two or three years. Then if we were in difficulties, let us look for money in the Exchequer; do not let us look for loans, but let us look for the treasure where we lost it—let us look at the customs duty—let us do as the United States of America did—not for protection—he cared nothing for the matter, but for the purpose of income—put taxes upon all the produce of foreign industry. The Exchequer had fallen into the old ways of the Whigs—the chronic vice of the Whigs—always getting into a deficiency—always looking out for a casualty. It was the Kaffir war now; but there was always some casualty, and the Whig Chancellor of the Exchequer invariably concluded that that was the last casualty that was to befall us. Soon after the Whigs came into power in 1830, there was a casualty of 1,000,000*l.*, which was paid in arrears of tithes in Ireland. Then came other casualties; there came the emancipation of the negroes, and twenty millions was an extraordinary expenditure, which was never to occur again. Then soon after followed an insurrection in Canada. That was also a casualty. Then followed the Chinese war, and the war in the East Indies, and the reverses of the British troops in Cabul; and so, from year to year, there was always some new casualty occurring; the year before last it was the famine in Ireland, and now it was the Caffre war. It was the very nature of a great empire, with possessions spread in every quarter of the world, that these casualties would be contantly occurring; and the Chancellor of the Exchequer, who calculated upon such extraordinary good fortune as that there was never to be another casualty—that there was never to be another famine—that there was never to be again disturbances on the Continent that were to check trade, and by checking trade were diminishing the consumption of excisable articles—was sure to fall into the position in which the Chancellor of the Exchequer and the Whig Government were in, of fast travelling on to a state of insolvency and bankruptcy. He was not one of those who agreed with the hon. Member for Limerick, that Ireland could be made to render six millions of additional income to this country without imposing any tax upon her; neither was he one who concurred with Her Majesty's Ministers, who thought that the way to get out of a difficulty was to give a little more free trade; to take off a few more taxes, to squander away the copper duties, to remit 23,000*l.* of corn duty, because some Member of the Government had expressed a loose opinion in the course of a debate in the House of Commons. He did not think that was the way to enrich the Exchequer, nor did he think that if they were to get into difficulties, and were to run into debt, that was a very constitutional way of doing it; but he thought this, that there were a great many taxes that might be imposed with very little burden upon the people of this country. He did not think the people of this country ever, as a body, asked that the timber duties should be taken off. He thought they would submit to a reimposition of the duties on foreign timber without any very great reluctance. He thought they did not like, and did not demand, that the duty should be taken off cotton and a great many other articles that made up the sum total of the two and a half millions which you had surrendered; and the two and a half millions which you were now in arrear. If the Chancellor of the Exchequer had come forward and said we gave up the corn duties; they produced us 772,000*l.* in the year 1846; we want revenue; continue the corn duties for the sake of the revenue for two or three years more—he did not believe the country would have been against such a measure as that; and he thought so the more because, upon looking at the state of prices, and the effect the corn duties had had upon prices on the one hand, and upon the revenue on the other, he could make it perfectly clear to the meanest understanding—and he might say to the most perverse understanding—that the corn duties had not been paid by the consumer in this country. The average price of wheat in February was 51*s.* 4*d.* On the 1st March, the suspension of the Corn-Law Act expired, and the 7*s.* duty came into operation. According to the doctrine of the hon. Member for the West Riding of Yorkshire and his school, the consumer ought immediately to have paid 7*s.* more for his wheat; but what was the state of the case? No perceptible difference arose in the price of wheat; the difference, such as it was, tended rather to a decline. In the month of March, from 51*s.* 4*d.*, the price of wheat fell so that it averaged 50*s.* 6*d.* Duties came in, and in the month of April, notwithstanding 7*s.* was being paid in March, the price of wheat fell 3*d.* more upon the average of that month. Still, as the price fell, the duty rose. In the month of May, the average price of wheat was 48*s.* 11*d.*, with a sliding-scale. As the price slipped down, the duty went up. The duty in May was, upon an average, about 9*s.* In June, still the price went down, and we had an average in June of 40*s.* in price, and of 10*s.* duty, by which, in the month of June alone, we were able to levy from the foreigner 56,000*l.* Had he not made it clear to the House, clear to the meanest and most perverse understanding, that, as far as these corn duties were concerned, they came out of the pocket of the foreigner, and they did not come out of the pocket of the English consumer? It was a revenue to the English Exchequer, at no cost whatever to the British consumer. He then said, with this example before us, do not let us have recourse to odious income taxes to fill the Exchequer; do not let us have recourse to this spendthrift mode of meeting present resources by entailing debts upon our posterity in the thirty-third year of peace; but let us look this question again manfully in the face, and let us not be misled by the delusions of those who told us that the repeal of the corn laws would at once make flour 1½*d.* a pound, and would fill England with prosperity; would cause England to exchange her manufactures for the corn of foreign countries; that it would leave no loom standing still; that it would leave to every operative superfluity, and he would no longer be required to have higher wages, because he was to have cheaper bread, and the superfluity of his wages was to be spared from the purchase of bread to be expended upon tea and sugar; that it was to increase to a boundless extent the export of the British manufacturer. Let us learn the answer from our diminished exports of five millions sterling, in the first six months of 1848, when free trade had come into full operation. Let us not place confidence in these deluders of the public mind; let us have a care how we listen to those who denounce their opponents, and think they are alone the only true prophets; let us beware of the gentleman who decries all those who differ from him, and who thinks himself the only orator, and who exclaims, as Jack Cade did at another time to Lord Say, just before he ordered his head to be cut off, "I am the besom that must sweep the Court clean of such filth as thou art."

LORD J. RUSSELL, after all he had heard, did not come to the conclusion that it was unwise in the Government to propose to increase the income-tax to meet the expenditure of the country. It was the opinion of Lord Ashburton, and one which that noble Lord pertinaciously held, and which deserved some attention, that, instead of keeping the expenditure equal to the income, it would be more prudent to keep 2,000,000*l.* or 3,000,000*l.* as a sinking fund, and then the Government would be prepared for any such emergencies as might happen. Now, he thought that a better plan than this was to give the public the benefit of the reduction of taxes; and successive Governments, acting on this principle when they had a surplus, had reduced the taxes to a great extent. He had shown on a former occasion that within the last few years taxes to the amount of 10,000,000*l.* a year had been taken off from articles of necessity and general consumption. The reduction of taxation had thus been very great; but the consequence was, that if there were an extraordinary deficiency in the revenue, or an extraordinary expenditure, then immediately the expenditure exceeded the income, and the Government were obliged to consider to what sources they could turn to make up the deficiency. The Government had proposed an increased percentage on a tax already in existence; but the country did not concur with the views they took, and the Government did not persist in their measures. Even if they had carried their proposal in that House, it would have been so unpopular in the country that it was far better the Government should take the course which they had adopted, of at once giving up the hope of raising the money by that means. Under these circumstances, he did not think that any course which had been proposed was better than that taken by the Government. The hon. Members for Montrose and the West Riding thought the Government ought to have made very great reductions in their military and naval force. He did not feel justified in proposing any such reductions; and what had appeared in the public papers within the last few days had confirmed him in the propriety of the decision they had come to. It appeared that the Government of February in France had in contemplation an attempt to make a war in Belgium; and a war in Belgium must have led to serious complications in Europe. The Government, therefore, would not have been justifiable in proposing that very large reduction in their military and naval expenditure which the hon. Members for Montrose and the West Riding had recommended. He could not concur in the opinion of the noble Lord (Lord G. Bentinck) that it would be expedient to reimpose the taxes on timber and raw cotton. He was not now going to discuss the question of the policy or impolicy of such duties; but he would remind the noble Lord that, long before the days of Adam Smith, it was thought by Sir R. Walpole and others of that school, that the most wise course was to repeal duties upon the raw articles of manufacture; and it was a great boast of Sir R. Walpole that he had reduced such duties to a very large amount in one year. He was not willing to reimpose the duties upon timber and cotton; and as to the effect of the duty on corn, he did not want to dispute with the noble Lord as to the effect of a duty of 7*s.* or 8*s.* on the price of corn. But he very much rejoiced that we had not the sliding-scale which existed in 1845. He found that in nearly the whole of this year, there was no duty above 10*s.*, and that corn merchants could bring in their corn without waiting until the price rose to 70*s.*, which was a great advantage to the consumers, and a great security this year over the years 1841, 1842, and 1843, when the old duty was in existence. He would not enter further into the question, except to express his satisfaction that, by the wisdom of Parliament, they had the state of corn duties which now existed instead of those which existed previously.

The House divided on the question that the words proposed to be left out stand part of the question:—Ayes 66; Noes 15: Majority 51.

List of the AYES.

Abdy, T. N.
Adair, R. A. S.
Anstey, T. C.
Baring, rt. hon. Sir F. T.
Bellew, R. M.
Berkeley, hon. Capt.
Bernal, R.
Boyle, hon. Col.
Bramston, T. W.
Brown, W.
Buller, C.
Campbell, hon. W. F.
Chaplin, W. J.
Craig, W. G.
Dodd, G.
Drummond, H.
Dundas, Adm.
Dunne, F. P.
Ebrington, Visct.
Grey, R. W.
Hawes, B.
Hayter, W. G.
Henley, J. W.
Henry, A.
Herbert, H. A.
Heywood, J.
Hobhouse, rt. hon. Sir J.
Hobhouse, T. B.
Lacy, H. C.
Lewis, G. C.
Mahon, The O'Gorman
Matheson, Col.
Mitchell, T. A.
Monsell, W.
Morpeth, Visct.
Morris, D.
Mullings, J. R.
Newdegate, C. N.
Norreys, Sir D. J.
O'Connell, J.
Paget, Lord C.
Palmerston, Visct.
Parker, J.
Price, Sir R.
Raphael, A.
Reynolds, J.
Rich, H.
Romilly, Sir J.
Russell, Lord J.
Scrope, G. P.
Sheil, rt. hon. R. L.
Shelburne, Earl of
Smith, J. A.
Somerville, rt. hn. Sir W.
Spearman, H. J.
Spooner, R.
Stanton, W. H.
Talfourd, Serj.
Tancred, H. W.
Ward, H. G.
Watkins, Col.
Willcox, B. M.
Wilson, J.
Wilson, M.
Wodehouse, E.
Wood, rt. hon. Sir C.

TELLERS.
Hill, Lord M.
Tufnell, H.

List of the NOES.

Bentinck, Lord G.
Bowring, Dr.
Broadley, H.
Cobden, R.
Currie, H.
Goring, C.
Greene, J.
Keogh, W.
O'Connor, F.
Renton, J. C.
Sibthorp, Col.
Thompson, Col.
Urquhart, D.
Williams, J.
Willoughby, Sir H.

TELLERS.
Hume, J.
Muntz, G. F.

Bill went through Committee.

SAVINGS BANKS BILL.

On the Motion that the House resolve itself into Committee,

SIR H. WILLOUGHBY said, he had on a previous occasion presented a petition, signed by 41,000 depositors in various provident societies, representing a sum of 762,000*l.*; and he had now to present another petition, signed by 38,000 depositors in savings banks, representing a sum of 1,080,000*l.* against this Bill. They believed that its provisions would, when carried out, prove most dangerous to the interests of these institutions. And he must say, that they had not had the usual courtesy shown to them in reference to the intention of the Government to introduce this Bill, great as were their interests. They had not been favoured with such a notice as was invariably given even with respect to the commonest turnpike-road Bill. If the managers of some of the savings banks in Ireland had acted wrongfully, that was no reason why the management of English and Scotch savings banks should be interfered with. Although twenty-four witnesses were examined before the Committee with respect to the Irish savings banks, yet the Committee positively refused to hear a single witness with regard to the English and Scotch savings banks. Was it fair, then, at so advanced a period of the Session, to press this obnoxious measure forward without having given the English and Scotch depositors any notice of the intended alterations? The Chancellor of the Exchequer would recollect, that when leave was asked to introduce this Bill, he asked him whether it was intended to make any alteration in the existing law with regard to the liability of trustees and managers; to which the right hon. Gentleman's answer was, that it was intended to render them liable only to the extent of 100*l.* each, unless they expressed their willingness to extend their liability. But when the Bill came before the House, he found in it no such provision. He could assure the right hon. Gentleman that this question of the liability of trustees and managers was a most delicate and difficult one. These parties represented stock to the amount of nearly 30,000,000*l.*, and the number of depositors was immense. It was, therefore, of the utmost importance that their interests should not be lightly interfered with.

The CHANCELLOR OF THE EXCHEQUER proposed to make an alteration in the first clause of the Bill; he proposed to strike out the whole of the words in the 7th line after the word "at," and the whole of the 8th, 9th, and 10th lines, as well as the words in the 11th line, as far as the word "Act." The effect of this alteration would be to place the trustees of savings banks in exactly the same position as that in which they were before the passing of the Act of 1844. He then proposed to insert such words as would limit the liability of a trustee to 100*l.*

SIR H. WILLOUGHBY said, the proposed amendments of his right hon. Friend entirely altered the nature of the opposition which he should offer to the first clause of the Bill. A trustee, by the proposed alteration, would only be liable for such losses, &c., as should happen through his wilful neglect or default. His right hon. Friend simply proposed to repeal the 7th and 8th Vic., cap. 83, sec. 6. [The CHANCELLOR of the EXCHEQUER: Exactly.] So that to that extent the trustees and managers of savings banks in this country would be restored to the same condition as they were in before 1844. [The CHANCELLOR of the EXCHEQUER: They will be exactly in their former condition in that respect.] The change of 1844 was made in the teeth of the expressed declarations and wishes of all parties interested in English and Scotch savings banks. But there was another great objection to the Bill, which, if not removed, would prove most fatal to the whole working of the Bill. He perceived that, by the third clause, auditors were to be appointed. Now, it was a very important matter to know how these auditors were to be paid. For his own part, he thought that the auditors were an excellent body of officers; but he was quite certain that, in consequence of the reduction of the rate of interest now payable on moneys in saving banks, he knew that small banks had no funds out of which they could be paid. With regard to the fifth clause, which was the most objectionable of all, it was quite impossible to ascertain in two days what were the feelings of the immense body of depositors who were scattered throughout the whole of this country, and many of them abroad. Many of them were servants. He felt persuaded that rather than run the risk which this Bill would entail upon the trustees, they would resign their trusteeship. He believed that the third clause could not be worked as it stood. He should really like to know what had occurred in the working of English and Scotch savings banks to induce the Government at this late period of the Session to interfere so objectionably with such large interests. He thought that the parties who were interested in this question had a right to complain of the manner in which the proceedings of these banks had been watched by the Commissioners for the Reduction of the National Debt. An impression had gone abroad—and he believed it was perfectly true—that the savings bank money had been used for other purposes than those which related to the savings banks. He would not say whether or not the money had been used advantageously for national purposes; but, under the administration of those Commissioners, very great and serious losses had occurred. If any question was to arise as to any deficiency, they might feel assured that the trustees and managers in England and Scotland would not consider themselves responsible for any act done in relation to these trust moneys after they had passed out of their hands. He was glad to find that the right hon. Gentleman admitted that they ought not to be responsible after the money had got out of their hands; but still there was this obvious conclusion to be drawn, that the savings banks of this kingdom would have been in a much more flourishing condition in every respect had greater facilities been given by Parliament for their efficient management.

Mr. HENLEY concurred in the greater part of what had fallen from the hon. Baronet who had just sat down, and thought the measure had not been well digested, and could not at this late period of the Session, be well considered. The only complaint he had ever heard of the English savings banks was, the low rate of interest, arising from the expenses of audit. The Bill would cause panic and alarm, and he entreated the Government not to persevere with it.

Colonel THOMPSON desired to know the amount of tendency in this Bill to increase the security of the depositors in the savings banks. He supposed nothing was clearer than that if there were final defalcations, they must be made good out of the public purse. It would justify a *jacquerie* if they were not, and if after all the preaching to the industrious classes, exhorting them to confide their savings to the care of their aristocratic betters, it was found their money had been left to be run away with without resource. Things were better managed in France, where institutions of this kind had government security, as everybody believed to have been the case here. If the Government were wise, they would engage at an early period next Session, to bring in a Bill to give Government security to the savings banks.

Lord G. BENTINCK: Sir, as the Government seem determined to persevere, and to have no regard for the just remonstrances of the independent Members of this House, I am necessitated to act in a manner which will at all events mark my disapproval of their conduct, and of the provisions of this most crude and undigested measure. Sir, I move that this Bill be committed this day three months. The evidence upon which this most important Bill is founded is that of four or five witnesses—men connected with Ireland exclusively, with the exception of Mr. Tidd Pratt, who is the Registrar General of Savings Banks. Their evidence is not published—the Committee sat but nine days—and yet it is upon such a foundation as this that a Bill, affecting an immense number of the people of this country, and dealing with no less a sum than 26,000,000*l*,, is brought before Parliament at the end of August. The report itself is the most extraordinary that ever was presented to Parliament. It is as remarkable for its brevity as for its vacuity—as brief as it is worthless. But then, Sir, this Bill is meant to apply to England. There was not a single English witness examined, with the exception I have stated, nor is there a syllable about England in the report. The report is styled " The Report of the Select Committee appointed to inquire into Savings Banks in Ireland." All the evidence is kept back. Yet the Chancellor of the Exchequer asks the House of Commons to sanction this Bill. The report says—

> " Your Committee has proceeded with the inquiry entrusted to them by the House; but owing to the late period of the Session they have found themselves unable to bring it to a satisfactory conclusion; and they are of opinion that it is advisable that a further inquiry should take place, either during the recess or in the next Session of Parliament, into the existing system of savings banks. They are of opinion, however, that it is expedient that a Bill should be introduced in the present Session of Parliament, regulating the liability of trustees of savings banks, and providing for the appointment of auditors of savings banks."

The Committee make no recommendation that the depositors should be subjected to any new regulations on the production of their books. But the Bill which the right hon. Gentleman brings in has the following provision:—

"And be it enacted, That the rules of every savings bank shall specify a number of days, not less than two in every year, ending on the 20th of November, on which the book of each depositor shall be produced at the office of the said savings bank for the purpose of being inspected, examined, and verified with the books of the institution by the auditor; and in case the said book shall not be produced on the second of the days mentioned in any one year ending as aforesaid, the said account shall be closed, and all interest shall cease to accrue on the sums deposited from the last day on which the said book should have been so produced; provided, nevertheless, that the trustees or managers shall have the power to reopen the said account, but only to allow interest thereon from the time when the same shall have been reopened; and an extract of this provision shall be enrolled as one of the rules of every savings bank."

The Chancellor of the Exchequer comes down with this little-considered and ill-prepared Bill, and which he has shown he does not understand himself. The clause I have just read allots two days in each year for the production of depositors' books, that they may be inspected and verified, and awards as a penalty for their non-production the cessation of interest and the closing of their accounts. I have no hesitation in saying that the Chancellor of the Exchequer must be ignorant—perfectly ignorant—of the nature of this provision. In the parish in which I reside, Marylebone, there is a savings bank in which there are no less than 18,700 depositors. The actuary waited upon me in reference to this most absurd Bill, and said that if 18,700 depositors were seen hurrying to the bank in two days it would cause a run upon the bank. The investigation into the present system of savings banks was, as far as England is concerned, a perfect Star Chamber business. Both the secretary of the Marylebone savings bank, and the secretary of the Bishopsgate savings bank, in which there is no less than one million sterling deposited, applied to the Committee for leave to watch its proceedings, but that leave was refused. Is the Government really serious in forcing on a measure like this almost on the last day of August—a measure of great importance—a measure not sought for and not needed, at least in England, upon half-a-dozen lines of a report of a Committee who examined four or five witnesses. The First Minister of the Crown is not present—this Bill ought not to be discussed in his absence. But the Chancellor of the Exchequer assured us on Friday night that he would bring in another measure next year, and which would effect a radical change in savings banks. What is the use of bringing in a Bill which is to have a four months' application? But let us see the practical working of the Bill. One of these savings banks has 48,000 depositors. How are all the books of the depositors to be verified and inspected in two days? I have been informed that the ordinary staff of a savings bank cannot, even if doubled, inspect and verify more than 500 in a day: they get through 1,000 in two days. What is to be done with the remainder? But the right hon. Gentleman may say let the banks increase their staff of clerks. Well, but that will occasion increased expense, and by consequence diminish the interest of the depositors. Is it wise to do so? When, in 1844, an additional expense was imposed upon those savings banks of 11*s.* in the 100*l.* it caused a sensible falling-off in the depositors, who, seeing the interest lessened, invested their money in other modes, or kept it. It is all very well for the Government to say that they can carry this measure—they will be supported by their sleeping myrmidons who, aroused from sleep, and knowing nothing about the Bill, and hearing nothing of the discussion, instinctively find their way into the same lobby with the Government. Well, but then there will be another disadvantage entailed upon depositors in those banks by this meddling legislation—the fees will be increased. With the new "radical reform" of the Chancellor of the Exchequer will come new rules, which must be paid for. Surely a Government which has proposed so much and which has done so little, can refrain from doing harm, since they cannot do good, and will not press this most discreditable Bill through the House of Commons at the end of August, without necessity, and against the opinions of those best calculated to form a judgment on the subject. I move, Sir, that this Bill be committed this day three months.

MR. MONSELL understood that the argument of the noble Lord and the hon. Baronet against the Bill was founded upon the want of confidence which any change in the law would produce on the English depositors. Well, then, he could tell them that unless they produced some such Bill as the present, the want of confidence which at present existed with regard to the Irish savings banks would be continued, and the most injurious consequences would follow. He had no objections that it should not extend to England and Scotland, but he entreated the noble Lord not to refuse it to Ireland.

The CHANCELLOR of the EXCHEQUER said, this was another instance of the difficulty of legislation in the present Parliament, for he had imagined that this Bill would excite no opposition, and yet here was the noble Lord charging them with legislating on this subject merely for the sake of extorting additional fees. [Lord G. Bentinck imputed no sinister motives to the promoters of the Bill. He merely stated, as one of the inconveniences of this legislation, the undoubted fact that additional fees would be charged upon the alteration of the rules that this Bill would render necessary.] He was glad to find he had misunderstood the noble Lord. The sole object of the Bill was to insure a better management of the savings banks, for the benefit of the depositors; and with that view he proposed to make trustees liable to that extent which the hon. Baronet opposite himself proposed in 1844. At present there was no liability of trustees, and consequently no inducement to them to perform their duty. It had been proved that in one or two cases in Ireland they had neglected their duty; and in England, where the noble Lord said there was no complaint, it was a fact that one trustee had paid 7,000*l.* out of his own pocket to atone for his previous neglect. The hon. Member for Bradford (Colonel Thompson) had said that Government ought to make good the losses of the depositors; but he would ask whether it was fair that the Government should be answerable for the conduct of officers, secretary, treasurer, &c., whom they did not appoint, and over whom they had no control. They were at present under the appointment of the trustees; and the object of the Bill was by rendering these trustees liable for a moderate amount, to give them an inducement to attend to their duty, and yet not to frighten them into resigning their office altogether. Then with regard to the production of the books of the depositors. It had been correctly stated by the hon. Member for Oxfordshire, that the only possible check on the accounts of the savings banks were the books of the depositors. That was perfectly true; and the object of the Bill was to require depositors to produce their books once a year, that they might be compared with the accounts in the bank. He was perfectly aware there would be difficulties in this course; but he thought they might be overcome, and the alternative was that the bank accounts would go without check altogether. He therefore trusted that hon. Members would allow this Bill to go into Committee.

Mr. H. A. HERBERT contended that the Government was alone responsible for the late period at which this measure had come under the consideration of the House, and urged that the depositors who had lost money by the failure of Irish savings banks were entitled to the favourable consideration of Parliament; because, whatever might be the effect of the law rigidly interpreted, 99 persons out of 100 who deposited their money in savings banks, believed that the Government was responsible for the deposits.

Mr. BROTHERTON said, it appeared to him that the opposition to this Bill was founded upon the wish some Gentlemen entertained to vest in local authorities the power of appointing unworthy managers of savings banks, and then to come to Parliament and demand compensation for the losses sustained by depositors on account of their misconduct. It was true that the Government were answerable for the money placed in the savings banks which they received, but they were not answerable for the faults of managers. The savings banks in England were well managed; but the managers of Irish savings banks, instead of transmitting to Government the money which they received, put it into their own pockets. The managers of the Manchester savings bank, in which there were 20,000 depositors, caused the book of every depositor to be exhibited once a year as a precaution against fraud.

Mr. REYNOLDS felt called upon to say that there was not the least ground for the hon. Member for Salford's assertion. It was too much the practice of hon. Members representing English constituencies to look only at the dark side of Irish character. There was scarcely any act, however discreditable, which was not at once imputed to the Irish. The instances of mismanagement which occurred in Ireland, he believed would, on inquiry, be found to have proceeded from local unskilfulness; and he did not conceive that either the present or any other Administration was to blame for the unfortunate events that had occurred.

Mr. KEOGH opposed the Bill because it was calculated to do harm. It was proposed to repeal the 9th George IV., and the provisions it substituted would make trustees resign their trusts, and this would cause a run upon the banks. He recommended that the matter should be left over for further inquiry.

Mr. J. A. SMITH believed that a responsibility limited to the extent of 100*l.*, however small, would be sufficient to secure the attention of the trustees to their duty; and he hoped that those who opposed the Bill would not lightly do what he believed would cause a most serious injury in Ireland.

Mr. NEWDEGATE said, no case had been made out for an interference which would only create alarm.

On the question that the words proposed to be left out stand part of the question, the House divided:—Ayes 49; Noes 21: Majority 28.

List of the Ayes.

Abdy, T. N.
Adair, R. A. S.
Anson, hon. Col.
Bellew, R. M.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Bernal, R.
Bowring, Dr.
Boyle, hon. Col.
Craig, W. G.
Douglas, Sir C. E.
Dundas, Adm.
Dunne, F. P.
Ebrington, Visct.
Grey, R. W.
Hawes, B.
Hayter, W. G.
Henry, A.
Hill, Lord M.
Hobhouse, rt. hon. Sir J.
Mitchell, T. A.
Monsell, W.
Morpeth, Visct.
Morris, D.
Paget, Lord C.
Palmerston, Visct.
Parker, J.
Pinney, W.
Price, Sir R.
Raphael, A.
Reynolds, J.
Rich, H.
Romilly, Sir J.
Sheil, rt. hon. R. L.
Somerville, rt. hn. Sir W.
Spearman, H. J.
Stanton, W. H.
Stuart, Lord D.
Talfourd, Serj.
Tancred, H. W.
Tenison, E. K.
Tufnell, H.
Ward, H. G.
Watkins, Col.
Williams, J.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wyld, J.

TELLERS.

Brotherton, J.
Smith, J. A.

List of the Noes.

Anstey, T. C.
Clay, J.
Currie, H.
Dodd, G.
Goring, C.
Henley, J. W.
Herbert, H. A.
Hobhouse, T. B.
Keogh, W.
Lacy, H. C.
Mullings, J. R.
Muntz, G. F.
Newdegate, C. N.
O'Connor, F.
Renton, G. C.
Sibthorp, Col.
Spooner, R.
Thompson, Col.
Urquhart, D.
Vesey, hon. T.
Wodehouse, E.

TELLERS.

Bentinck, Lord G.
Willoughby, Sir H.

House in Committee.

On Clause 7,

Mr. WODEHOUSE moved that the operation of the Bill be limited to Ireland, and that the words "Great Britain" be left out of the clause.

The Committee divided on the question that the words stand part of the clause:—Ayes 30; Noes 11: Majority 19.

List of the Ayes.

Abdy, T. N.
Adair, R. A. S.
Brotherton, J.
Buller, C.
Craig, W. G.
Dundas, A.
Ebrington, Visct.
Grey, R. W.
Hawes, B.
Hobhouse, rt. hon. Sir J.
Mitchell, T. A.
Morpeth, Visct.
Palmerston, Visct.
Parker, J.
Price, Sir R.
Raphael, A.
Reynolds, J.
Rich, H.
Romilly, Sir J.
Sheil, rt. hon. R. L.
Smith, J. A.
Somerville, rt. hn. Sir W.
Stanton, W. H.
Tancred, H. W.
Thompson, Col.
Williams, J.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wyld, J.

TELLERS.

Tufnell, H.
Bellew, R. M.

List of the Noes.

Anstey, T. C.
Bentinck, Lord G.
Henley, J. W.
Herbert, H. A.
Keogh, W.
Mullings, J. R.
Renton, J. C.
Spooner, R.
Tenison, E. K.
Urquhart, D.
Willoughby, Sir H.

TELLERS.

Newdegate, C. N.
Wodehouse, E.

House resumed.

House adjourned at half-past Three o'clock.

HOUSE OF LORDS,

Wednesday, August 30, 1848.

Minutes.] Public Bills.—1ª Slave Trade (Equator;) Post Horse Licenses, &c.; Drainage Certificates; Lock-up Houses; Spirits (Dealers in); British Spirits Warehousing; Distilling from Sugar.

2ª Millbank Prison; Battersea Park, &c.; Royal Military Asylum; Local Acts.

Reported.—Controverted Elections; Transfer of Landed Property (Ireland); Fever (Ireland); Nuisances and Contagious Diseases; Dublin Police; Commons Inclosure Act Amendment.

HOUSE OF COMMONS,

Wednesday, August 30, 1848.

Minutes.] Public Bills.—2° Poor Law Auditors Proceedings Restriction.

Reported.—Exchequer Bills; West India Colonies and Mauritius; Savings Banks; Consolidated Fund.

3° and passed:—Post Horse Licenses, &c.; Lock-up Houses; Spirits (Dealers in); British Spirits Warehousing; Distilling from Sugar; Slave Trade (Muscat).

Petitions Presented. By Mr. Beresford, from several Lodges of the Independent Order of Odd Fellows, for an Extension of the Benefit Societies Act to that Order.—By Mr. Cobden, from James Mills, of London, for Inquiry into his Case.—From the Rev. James Maher, Parish Priest of Graigue, in the County of Carlow, for an Alteration of the Poor Law.—By Colonel Sibthorp, from the Trustees and Managers of the Savings Bank at Grantham, in the County of Lincoln, against the Savings Banks Bill.—By Mr. Anderson, from several English Savings Banks, for Confining the Operation of the Savings Banks Bill to Ireland.

BUSINESS OF THE SESSION.

Mr. DISRAELI:* I take this occasion, as being, perhaps, the most convenient to the House, to make some observations on the conduct of public business during this Session. I think there are reasons which render it not inexpedient that the House should not be prorogued without offering some opinion on that subject. Whatever be the merits or demerits of this Session of Parliament, there is no doubt that it possesses, by general consent, one characteristic—that of having been a Session of unexampled duration. There is, however, a suspicion very prevalent that its efficacy has not been commensurate with the period of its existence. It is said that, after having sat now for nearly ten months—after having laboured with a zeal and an assiduity which have not been questioned—Parliament is about to be prorogued with a vast number of projects of legislation of great interest and value not passed, and many of them little advanced. Why, Sir, the very subjects recommended to our consideration in the Speech from the Throne have not even been dealt with by the House in the way contemplated when we first met. There is more than one reason generally offered to account for this unsatisfactory state of affairs—for an unsatisfactory state of affairs I am sure every Gentleman will agree it really is, because it amounts to the acknowledgment, if it be true, of a very great public evil—namely, that our system of government is inadequate to pass those measures that are required for the public welfare. One of the most popular causes which is assigned for this unsatisfactory state of affairs, and for the existence of this great evil, is that there is too much discussion in the House of Commons—too many speeches—too much talk. This is an imputation that has been heard before this Session of Parliament. It was not so rife, but yet it was an accusation prevalent during the last Session of the last Parliament. I think it was first urged as an obstacle to the conduct of public business by the Members of the Manchester school; and this year it has been brought forward by their distinguished leader in the most formal and precise manner. That hon. Gentleman, the Member for the West Riding, has even acknowledged to the House that, so far as he is concerned, he is so sensible of the evil of prolonged discussions in the House of Commons that he would consent, although opposed to all tariffs, to a sort of rhetorical tariff; and that for his part (and he spoke, I suppose, also, for his Friends), he has no objection that the time allotted to him for addressing the House should be settled by a Standing Order. This is evidently a popular idea, and it may be (but we shall have opportunities of discussing that point) a very good suggestion; but I would remind the House that it is only very recently that this inconvenience of too much discussion has been experienced by the hon. Gentleman and the other Members of his school. There certainly was a time (not very far distant, but a few years ago) when I do not think the hon. Member for the West Riding would have been satisfied with a limited period of time being fixed by the House of Commons for the addresses of hon. Members. I have listened to a great many able addresses from the hon. Member for the West Riding and his Friends, most of which exceeded that period of time which he wishes now to establish; and, far from thinking then that there was too much discussion, they were not satisfied with the House of Commons alone, but they built halls, and hired theatres, thinking that the House of Commons did not afford sufficient opportunities for the discussion of those great questions, and for the advancement of those great principles, which they wished to impress on public conviction.

There is another cause alleged for the unsatisfactory state of public business, and that is, the forms of this House—the constitution of this House—which are now discovered to be cumbersome and antiquated, and to offer a great obstacle and barrier to the efficient, satisfactory, and speedy transaction of public affairs. This is the view of the case which is, I believe, principally relied on by Her Majesty's Government. Her Majesty's Government have on several occasions objected to, or rather deplored the use of the forms of the House, which hon. Members have availed themselves of; and towards the close of this dying Session, with the sanction certainly—not to say the instigation—of Her Majesty's Government, a Committee was appointed to inquire into the conduct of public business, of which I was a humble Member, and before which you, Sir, were a distinguished witness. From the appointment of that Committee it is clear that the Government did consider that in the forms of the House might be found the cause of that unsatisfactory state of affairs which we all lament. At the same time, it is clear, Her Majesty's Government by no means waved their acceptance of the other cause alleged by the hon. Member for the West Riding and his Friends. The noble Lord opposite, and the other Members of Her Majesty's Government, have, on several occasions, deprecated that propensity to discussion which they have considered to form an obstacle to the transaction of public business. They have often told the House that if hon. Members would not make speeches, and inquire into the merits of measures, unquestionably the measures would pass with greater promptitude; and though I look on Her Majesty's Ministers generally as the representatives of the second cause alleged for the evil we all acknowledge—namely, the cumbersome and antiquated forms of the House—still they may be considered as having accepted and acknowledged the justice of the other cause brought forward by the hon. Member for the West Riding and his Friends—namely, the propensity to over discussion—too much talk—and the consequent waste of time, occasioning the delay of public business. I think I have stated the case fairly. I would fix on Her Majesty's Ministers having themselves admitted these two causes as the real ones of the present unsatisfactory state of affairs, particularly as I observe in an official paper a paragraph which seems to ratify the truth of my statement. [Lord J. RUSSELL: Is it the *London Gazette?*] No, it is not the *London Gazette;* but I will show to the House that it is a paper to which are entrusted Government secrets far more interesting and more important than ever appeared in the *London Gazette.* I copied this official paragraph from what I consider, and I suppose Her Majesty's Ministers would consider, the only official journal of the Government—a journal which circulates all the secrets of the Cabinet the moment they are known—which announces all the Government appointments, from that of an Ambassador to the French Republic, to that of the last gauger of Excise. On last Sunday week I read in that journal the following official announcement, which proves that Her Majesty's Ministers, although they have by the appointment of the Committee I have mentioned shown themselves to be of opinion that the forms of the House constitute one of the causes of the evil, also believe that the view taken by the hon. Member for the West Riding is also just. The paragraph begins—

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* From a published report.

"We have authority to state"—

If this is a forgery, it is, of course, competent to the Treasury bench to contradict the statement—

"We have authority to state that the fish dinner, which was fixed for the 19th, is postponed till the 26th. This postponement is occasioned by the vexatious discussions in the House of Commons. This mania for talk among the Members has now reached such a pitch that something must really be done to arrest the evil. We have, however, authority to state that the fish dinner will positively take place on the 26th."

Saturday, then, was the dinner of the Session, and Wednesday is the digestion. However, it is quite clear from that paragraph, allowing for all that irritability which is of course natural to men who lose their dinner—it is quite clear that the real feeling of the Government is, that there is too much discussion in this House. And I, for one, value slight means of obtaining truth like this more than I would any formal announcement even of the noble Lord opposite; because it is always at those accidental moments when men are thrown off their balance—little ebullitions of temper so natural, for instance, on the loss of a dinner—that you are enabled to detect the secret passion and the master feeling of the soul; and though the noble Lord has talked a great deal of the forms of the House, alluding in a way more delicate than the hon. Member for the West Riding to the propensity to discussion, it is quite clear that the Government are of opinion that the reason why the business of the country cannot be satisfactorily carried on is, that there is too much discussion in the House of Commons. I, therefore, propose, in a manner the most brief and condensed I can command, to discuss whether these two causes are the real causes of the evil which exists—whether it is to be imputed to discussion in this House, or to the forms of the Legislature, that, after having sat nearly ten months, we have done very little, and that very little not very well.

But before I enter into that inquiry, perhaps it would not be uninteresting to the House and to the country that I should state what, independent of our debates, this House of Commons, which it is the fashion to blame at present, has really done; and, in doing so, I will refer to a short paragraph in the report of the Committee on Public Business, which, though already laid on the table of the House, has accidentally not been circulated among

Members. It appears from that report that there have been this year forty-five public Committees, some of more than usual importance, with an average number of fifteen Members serving on each Committee. Then there have been twenty-eight Election Committees, with five Members serving on each Committee; fourteen groups on Railway Bills, with five Members on each group; seventeen groups on private Bills, with five Members on each group; and there have been also one hundred and eleven other Committees on private business. Of the public Committees, that on commercial distress sat thirty-nine days; that on sugar and coffee planting, thirty-nine days; that on the Navy, Army, and Ordnance expenditure, forty days; and that on the miscellaneous expenditure, thirty-seven days. There have, besides, been presented this year upwards of 18,500 petitions, showing an increase of 25 per cent above the greatest number presented in any former year, except 1843.

Here I would make one observation on these petitions, since considerable error exists out of doors among our constituents on the subject. There is an idea that the presentation of a petition is an empty form—that it is ordered to lie on the table, and is never heard of again. Now, it is as well that our constituents should know that every petition laid on the table is scrutinised by a Select Committee of the most experienced and influential Members of this House—that every petition which, from the importance of its subject or the ability of its statements, appears to merit more particular notice, is printed at the public cost, and afterwards circulated among the Members; and I believe that at this moment the right of petition (although it is not permitted to make speeches on every petition) is a more important and efficient right than has ever been enjoyed at any time by the people of England in this respect.

Having, therefore, fairly, I hope, stated the causes to which is imputed the great evil we all acknowledge—namely, the apparent inefficiency of our system of government for the transaction of business necessary to the welfare of the State—I shall proceed to see whether those causes are founded in justice; and if they are not, whether it is possible, before the Parliament is prorogued, to ascertain what the real cause is. It would be, perhaps, convenient to recall to the House the circumstances under which this Parliament met. Such extraordinary events have occurred since February, that we are apt to forget, while reflecting on the fall of thrones, the uprooting of dynasties, the toppling down of great Ministers whose reputation had become almost part of history, and who, for more than half a century, had moulded the government—one might almost say, of civilised Europe—I repeat, that while these catastrophes are fresh in our memory, we are apt to forget (so long has been the duration, and so eventful the period of this Session) the circumstances under which the present Parliament met. Hon. Gentlemen should recollect that when this first Session of the new Parliament of the Queen assembled, we were then suffering from events which, though not of a reputation so European, or of a character so comprehensive as those I have just referred to, yet, as far as we were concerned, were not less strange, and far more sad. The inscrutable and omnipotent decree had gone forth and stricken one of the Queen's kingdoms with famine, and the great efforts obliged to be made by the merchants of this country in consequence of that terrible visitation, led—in addition, no doubt, to other causes—to a commercial crisis perhaps of unprecedented severity. There were uprootings of commercial dynasties in England not less striking than the fall of those political houses of which we have lately heard so much. Day after day, Gentlemen whom we had lived with in this House, and whom we respected and regarded—merchants of the highest European reputation—were during that crisis rudely torn, I may say, from these benches, if not with disgrace and dishonour, yet with circumstances of pitiable vicissitude seldom equalled. When Parliament met, there was this commercial distress of unprecedented severity—private credit was paralysed—trade was more than dull, it was almost dead—and there scarcely was a private individual in this kingdom, from the richest and noblest in the land down to the most humble among the middle classes, who was not smarting under the circumstances of that commercial distress. which was of a nature so severe and striking that it was one of the main causes alleged for calling the Parliament together in November. Her Majesty stated the reasons which induced Her to call the Parliament together then, and She was pleased to say that She "had seen with great concern the distress which has for some time prevailed among the commercial classes;" and Her Majesty enlarged on that subject in terms which I will not now quote at length, as every Gentleman is acquainted with them. But let me ask the House whether, on that subject of commercial distress, there was, when the House met, too much discussion?

When the House is charged with having such a propensity for making speeches, let me recall to the recollection of hon. Gentlemen that the impression of the entire country, after we had met, was that we had been called together by the Sovereign upon the occasion of a great exigency—upon an acknowledged specific case of universal interest—and that on that subject the House of Commons said nothing. There was, I believe, a feeling of blank discomfiture pervading all classes—pervading all parties—in the country and in the towns—because, when Parliament met, it did not immediately give to the causes of that commercial distress, by which the country had been stricken so severely, the advantage of a public discussion, which might have arbitrated between the contending theories and conflicting reasons, and arrived at some results which would have been a fair guide to public intelligence. There was, however, no discussion whatever on that subject. Of course, I do not mean to deny that when the House met, there was, upon the Motion for the Address, a desultory discussion for a couple of nights, in the course of which the commercial distress and monetary crisis formed two important elements. But we know that Parliament never meets without such desultory discussion; and no one ever heard an opening discussion in a new Parliament which was not general, and usually adjourned. In the present instance, it was insignificant, because there was a general understanding that the question was too vast to be encountered in that incidental manner, and it was supposed that the first business of the House would be a prolonged and complete discussion on that great subject; for let me recall to the recollection of the House the language of the Sovereign on the opening of Parliament. It was as follows:—

> "The embarrassments of trade were at one period aggravated by so general a feeling of distrust and alarm, that Her Majesty, for the purpose of restoring confidence, authorised Her Ministers to recommend to the Directors of the Bank of England a course of proceeding suited to such an emergency. This course might have led to an infringement of the law."

Now, I ask whether, on this great subject, in respect to which we were justified in expecting that there would be most ample and complete discussion, the House of Commons has shown too great a propensity to debate? I shall be told, no doubt, that although I have referred merely to a desultory discussion on the Motion of the Address, with respect to the commercial distress, and especially as to the conduct of the Government in regard to the advice given to the Directors of the Bank of England, still, the right hon. Gentleman the Member for Stamford did, on a subsequent occasion, bring the question formally before the House. That is very true; but, in the first place, I should think there are few who would maintain that there was any abuse of the privileges of Parliament when such a man, on such a subject, appealed to the House of Commons. I should say that, considering the experience of my right hon. Friend—the turn of his mind, the bent of his studies—it would have been satisfactory to the country, to men of all parties, that he, of all persons, should have originated an investigation into the subject—the management and constitution of the Bank of England, and the conduct of Her Majesty's Ministers during the crisis. But I do not suppose that that Motion of my right hon. Friend will be alleged to have been of an intrusive or impertinent nature. I do not suppose that the night occupied by that discussion will be represented, like other nights, as a waste of time. If so, I would remind the House that we had not the alternative of silence in that respect, for Her Majesty's Ministers had announced, through the highest medium, that they had counselled the Directors of the Bank of England to infringe the law. True it is that, in the same Royal Speech, they intimated that that infringement, notwithstanding their permission, did not take place; but my right hon. Friend, and those Gentlemen on this side of the House with whom he acts, could not agree that the criminality of an offence only consists in perpetration and action. We hold that the intention is just as guilty as the perpetration—that a man who tries to commit a murder is as guilty as a man who has actually committed a murder—and that, therefore, if a Minister counsels a public body to infringe the law, although the infringement may not take place, it is a case in which Parliament ought to come forward constitutionally to indemnify the Minister if it approves of his counsel. These were our opinions; but I am not clear that they would have been forced upon the House had it not been for the ostentatious manner in which the Government announced, in the Queen's Speech, their counselling the infringement of the law, and in which they led the House to understand that it was their opinion, as such infringement of the law had not taken place, that they required no indemnity. I think myself that the whole conduct of the Government with respect to that letter was so weak and whimsical that it is difficult to account for it except by supposing that they were—as naturally they may have been—in a state of very great perplexity. Why they should have been so long before they counselled the infringement of the law—why, when they had done so, they should have been so delighted that the Bank did not avail itself of the privilege—and why, having done all this, which amounted to nothing, they should have written the paragraph in the Queen's Speech to which I have referred—completely puzzles one. I scarcely know to what to compare their conduct, except something that occurs in a delightful city of the south, with which hon. Gentlemen are familiar—and which is now, I believe, blockaded or bullied by the English fleet. There an annual ceremony takes place, when the whole population are found in a state of the greatest alarm and sorrow. A procession moves through the streets, in which the blood of a saint is carried in a consecrated vase. The people throng around the vase, and there is a great pressure—as there was in London at the time to which I am alluding. This pressure in time becomes a panic—just as it did in London. It is curious that in both cases the cause is the same: it is a cause of congealed circulation. Just at the moment when unutterable gloom overspreads the population—when nothing but despair and consternation prevail — the Chancellor of the Exchequer—I beg pardon—the Archbishop of Tarento announces the liquefaction of St. Januarius's blood—as the Chancellor of the Exchequer announced the issue of a Government letter: in both instances, a wholesome state of currency returned: the people resume their gaiety and cheerfulness, the panic and the pressure disappear, everybody returns to music and maccaroni—as in London everybody returned to business—and in both cases the remedy is equally efficient and equally a hoax.

I think, then, there is some reason for the House to agree with me that, as far as this great question of commercial distress (which the hon. Member for Warwickshire is well aware has not yet terminated) is concerned, the House of Commons has not wasted much time. This is the most important subject which could possibly interest a great commercial nation, and yet I believe there are not a dozen Members in the House who have expressed their opinions upon it. I confess that, as far as our discussions upon banking are concerned, I have long relinquished any hope that their result would be as satisfactory as I could desire. I observe that, by the adroit tactics of a great master of Parliamentary stratagem, a combat always takes place between opposite opinions, with which those who originate the question have generally very little to do. The debate is always interesting—it is frequently entertaining—but the sound principles of banking are seldom advanced by such discussions; and to obtain that great end I confess that I look forward to only one means, and that a very painful one—another pressure and another panic.

I will now, Sir, refer to a subject of the utmost possible importance—the financial question; and I will ask the House, now on the 30th of August, after sitting for nearly ten months, calmly to consider whether, with regard to the financial statements and the measures which result from those statements, the conduct of the House of Commons has been of the thoughtless, unbusiness-like, unsatisfactory character which is alleged? I ask the House to inquire how much time has been occupied during the present Session by those financial communications and arrangements which it is the first duty of an English Minister to submit to the House of Commons? I ask the House to inquire whether, if time has been wasted, it has been wasted by the House of Commons—whether the speeches of hon. Members or the forms of the House have occasioned such an expenditure of the public time? On the 18th of February the financial statement was made to this House. It was exceedingly satisfactory, both to the House and to the country, to be told that when Parliament met after Christmas not an hour would be unnecessarily lost before the financial statement was made. There was a disposition on this side of the House to view the conduct of the Government with forbearance; and I believe, indeed, that they were in some degree favourites out of doors. People said, "To be sure they are not men of business, but they have hard times. The Chancellor of the Exchequer is a most active man. True—he got wrong in his deficiency bills, but that was an exceptional case. The Government are now sailing in still water, and they meet public business like men. When Parliament meets, not a moment is to be lost: the Prime Minister will be prepared, and we are to have the budget early in February."

Well, Sir, notwithstanding all the great events which have occurred in Europe, I still recollect that budget. It was communicated to the House quite in a grand style. It was not entrusted to the Chancellor of the Exchequer. Tamworth itself could not have arranged a programme more magnificent and more solemn. The Prime Minister himself came forward. The considerations included, in a political sense, were not less important than those of a financial nature. It was clearly a budget that could not be entrusted to a mere man of routine—it demanded the expansive views and the high spirit of a statesman. The country was to be defended as well as the taxes to be paid. These were great questions for the House to consider; and when we were informed of our danger—when we were induced to express our determination to protect our country, our Sovereign, and our hearths—when we found there was to be an increase not only of the miscellaneous but of the military estimates—then the great sting in the epigram was apparent, and we were told the income-tax was to be doubled. Now, that was clearly a financial scheme which must have been most completely matured. It was not a scheme that was taken up in an hour, or drawn with a pen on the back of a letter. There must have been Cabinet Councils frequent and long, discussions secret and interminable, upon a budget which—in a moment of deficiency—required the country to increase its expenditure, and which attempted to accomplish two great ends—to defend the country and to fill the Exchequer.

I think, Sir, I am using no term of exaggeration if I express the feeling of the House, after hearing that budget, as one of considerable dissatisfaction. Every hon. Gentleman who represented a party or a section rose—almost even behind the Treasury bench—and expressed an indignant protest against the Government scheme. But this was only a murmur compared with the roar which took place out of doors. A menagery before feeding-time could alone give an idea of the unearthly yell with which the middle classes — especially the inhabitants of towns—especially the advocates of liberal opinions — and more especially the disciples of free trade principles—met this demand. Day after day, Manchester, Liverpool, Leeds, and Bradford sent up their protests: meetings were held in the city of London at which the scheme was condemned; and persons were, in fact, so much alarmed that they had not time to investigate the causes of their condition, but there was a general impression that the income-tax was about to be doubled because we were going to war!

Well, on the 21st of February (the Monday following the Friday on which the first announcement was made), there having been several Cabinet Councils in the interval, the Chancellor of the Exchequer was put forward—(just as a great general, after arranging the disposition of his infantry, finding they cannot do all he expected, sends out a dashing commander of cavalry to make a charge which he hopes will set things right)—and made a most extraordinary speech. It was a sort of lament over the misconceptions which had unaccountably occurred with regard to the statements of his chief. One would imagine that, if there were any Parliamentary statement, any public narrative, which would be carefully and clearly prepared before it was submitted to this House, it would be the financial exposition. I had listened to the exposition, charmed by the classic eloquence of the noble Lord, and I certainly was not aware that it was enveloped in that Theban mist by which the Chancellor of the Exchequer stated that it was encompassed. The Chancellor of the Exchequer is the man to put a thing right. He came forward and said that the greatest possible misconception existed as to the estimates—that it was true there was an increase upon the Navy estimates—but that it was not a very great increase, and that it was occasioned by an expedition to the North Pole. This was the declaration of the right hon. Gentleman to show that we were not going to war, but that we were merely endeavouring to discover the North Pole—a luxury, I think, better adapted to times when we possessed a surplus in the Exchequer. Then the right hon. Gentleman acknowledged that it was true the miscellaneous estimates were considerably increased; but, he said, you forget the expense of building the new Houses of Parliament, of keeping up the British Museum, and, last of all, the immensely increased amount of your printer's bill. That was the defence of the estimates made by the Chancellor of the Exchequer—a defence which heralded the most extraordinary proposition ever made by a Minister. To the surprise, very probably, not of the members of the Cabinet, but I am sure of every member of the Administration who was not in the Cabinet, the Chancellor of the Exchequer announced his determination to propose the immediate reference of the Army, Navy, and Ordnance Estimates to a Select Committee; and on the next day he also proposed that the Miscellaneous Estimates should be submitted to the same ordeal. But, Sir, the storm did not lull. Submitting the estimates to Select Committees—a point on which, with the permission of the House, I shall afterwards make some observations—did not pay the double income-tax; and there were symptoms of popular feeling which almost might have led to the supposition that the tumults which afterwards broke out in various parts of the Continent were about to commence in this loyal country of England.

Well: on the 28th of February, the hon. Member for Montrose (Mr. Hume), having given notice of a Motion for the reduction of expenditure and the diminution of taxation, and there being also some other very inconvenient notices upon the books—on the 28th of February, ten days after the financial exposition of the noble Lord at the head of the Government, the Chancellor of the Exchequer came down to the House, and in the handsomest manner—keeping his promise to the House and to the public that they should have a budget in February—presented them with two budgets! On that occasion the Chancellor of the Exchequer said that misconceptions as to the intentions of the Ministry not only still continued to prevail, but were even on the increase; that there were already several Motions of a most inconvenient character on the books of the House; that it became necessary to review their position; that he had himself no doubt that the estimates might be considerably curtailed; that by borrowing money which had been destined for another purpose, and by not applying some money to the purpose for which it was originally intended—that is to say, by filching on the one hand and screwing on the other—they could manage very well to bring the expenditure and the income to a balance without doubling the income-tax—an income-tax which the noble Lord had estimated would bring an additional 3,500,000*l.* into the Exchequer.

Now, let me remind the House that, from the 18th to the 28th of February, ten days were wasted in this House while the country was kept in a state of agitation; but was it the House of Commons that was guilty of wasting that time? Was there too much discussion here, or were the antiquated forms of the House tripping up the noble Lord and the Cabinet? Ten days were wasted, and we had not advanced a step. On the 28th of February we were still with an empty Exchequer, and the only chance we had of getting anything to pay even 10*s.* in the pound of the deficiency was by scraping some 600,000*l.*, 700,000*l.*, or 800,000*l.* from the estimates which had just been laid on the table with this announcement—"Gentlemen of the House of Commons—Her Majesty has given directions that the estimates for the next year should be prepared for the purpose of being laid before you. They will be framed with a careful regard to the exigencies of the public service." We had a deficient revenue; yet, with this statement on the table of the House, the Chancellor of the Exchequer found that the estimates had not been prepared with a careful regard to the exigencies of the public service.

Not to enter into a dry chronological account of all the sayings and doings of the past eventful ten months, I will pursue the financial subject to the end, that this House and the country may clearly understand what time has been wasted, how it has been wasted, and by whom it has been wasted, in respect of the exposition management of the public finances.

On the 30th of June, appropriate to nothing before the House, in the midst of a colonial debate, the Chancellor of the Exchequer, having reason, as he supposed, to answer an hon. Gentleman on the opposite benches who had made a speech of considerable ability and intelligence, suddenly and in the most impromptu manner threw his third budget on the table of the House. Now, what occurred on that occasion? I am not now going into the details of the sugar debates, to which I shall have to advert afterwards—I am keeping merely to the point of our finances. The right hon. Member for Manchester and the hon. Member for the West Riding proposed the adjournment of the debate upon the Bill then before the House, on the ground that instead of discussing the great principle of which they were the champions—instead of debating the propriety of altering the law of 1846 with reference to sugar — the Chancellor of the Exchequer, by introducing his new budget, entirely diverted the attention of the House from the subject before them, and the discussion which took place was upon the financial state of the country. That debate, which lasted for two days, instead of being a debate on the sugar question, was a discussion of the third budget of the Ministry.

I should have remarked that in the month of February, when the first financial statement was made, my noble Friend the Member for King's Lynn (Lord George Bentinck) inquired whether the Government had included the corn duties in their calculation? They answered that they had not done so; but in the third budget—the budget of June—it was discovered that they had included the corn duties.

We had, then, three budgets during the period in which I have traced the affairs of the Session, commencing with the 18th of February and coming down to the 30th of June; yet we had not advanced a jot. Not a Gentleman in this House took advantage of such an extraordinary state of affairs to originate an inquiry into the condition of the national finances. The Government were let alone: they were treated with the greatest forbearance and indulgence; yet, from the 18th of February to the 30th of June, they had not in the slightest degree redeemed their promise to the House and to the country. All they had done was what, certainly, no Ministers had ever done before: they had produced three financial projects, all of which were inefficient.

Now, let us see what other portion of time was wasted under the system pursued by the Government. All this time your estimates were submitted to Select Committees upstairs, and the Committee of Supply in this House was virtually shut. The Government could obtain nothing but a vote on confidence to pay wages or dividends. When the Select Committees were appointed, I took occasion, at the request and with the sanction of the Gentlemen with whom I act in political connection, to state the objections we entertained to submitting the estimates to Committees upstairs. I showed, in the first place, that it was an unconstitutional course as regards the Sovereign — that, notwithstanding the very pompous announcement of precedents by the Chancellor of the Exchequer, his precedents availed nothing in the instance in question — that they were all precedents of Finance Committees for legitimate inquiries into the expenditure and revenue of the country—and that there was no precedent whatever for submitting estimates which had been prepared by the Ministers on their responsibility to Committees upstairs, thus shifting the responsibility from the Ministry to the Committees. I showed that these were, in fact, Select Committees of Supply, and that, if you had Select Committees of Supply, you might with equal justice have a Select Committee of Ways and Means—that, if a Select Committee was to prepare the estimates, there was not the slightest reason why, by analogy, a Select Committe might not inflict the taxation—and that the double income-tax might have been settled by a Committee of Ways and Means upstairs as the estimates were revised by a Committee of Supply upstairs. I stated some further objections with reference to the appointment of these Committees. I said that the course was unconstitutional as regarded Members of this House, because it deprived them of the constitutional privilege to which every Member is entitled, and of which almost every Gentleman in this House avails himself, of investigating in Committee the justice of these estimates, and expressing his opinion on subjects which may be interesting to himself and his constituents. The noble Lord (Lord John Russell), who did me the honour of answering me, said it was a perfect delusion to suppose that, because the estimates were referred to Committees upstairs, hon. Gentlemen would, therefore, be deprived of their constitutional privilege of criticism in Committee of the whole House; and he said that, when the estimates came down from the Committees, all the 658 Members would have an opportunity of exercising that constitutional privilege. It so happened, however, that the estimates did not come down till August, when four-fifths of the Members of this House were absent; and, practically, every Member has been deprived, in this important year, of his constitutional privilege by the manner in which the financial affairs of the country have been administered by the Government.

But, independently of this, Her Majesty's Ministers, by the course they have taken, have protracted the Session and have deferred the consideration of the estimates, in Committee of Supply, three months beyond the usual period, Why, after your three budgets and your two Committees upon the estimates, the estimates were barely passed by the end of August. And I ask with confidence whether, as far as the administration of that great department of public business is concerned, this House has been guilty of the waste of a single hour with respect to the question of finance? We had three budgets, two Committees, and six months and a half wasted by this Administration —these men of business, who were to give us a satisfactory financial exposition early in February; and the Prime Minister, with that almost sublime coolness which characterises him, announced late in July that his right hon. Friend the Chancellor of the Exchequer would take an opportunity, before the House separated, of making another financial statement.

Well, Sir, we had at last the fourth budget. We had, some time ago, the Government of all the talents: this is the Government of all the budgets. Alas, for this fourth budget! It came late, and at a moment when we wanted glad tidings; but, unfortunately, it was not characterised by the sunny aspect which was desirable. I shall never forget the scene. It was a dreary moment. There was a very thin House—the thinnest, I suppose, that ever attended a ceremony so interesting to every country, and especially to a commercial and financial country like England. I never saw a budget brought forward before an attendance so gloomy and so small. No; I shall never forget the scene. It irresistibly reminded me of a celebrated character who, like the Chancellor of the Exchequer, had four trials in his time, and whose last was the most unsuccessful—I mean the great hero of Cervantes, when he returned from his fourth and final expedition. The great spirit of Quixote had subsided; all that sally of financial chivalry which cut us down at the beginning of the Session, and which trampled and cantered over us in the middle, was gone. Hon. Gentlemen will remember the chapter to which I refer, which describes the period when the knight's illusions on the subject of chivalry were fast dispelling, and losing his faith in chivalry or finance he returned home crest-fallen and weary. The villagers, like the Opposition, were drawn out to receive him; and Cervantes tells us that, although they were aware of his weakness, they treated him with respect. His immediate friends—the barber, the curate, the bachelor Sampson Carrasco—whose places might be supplied in this House by the First Lord of the Treasury, the Secretary of State for Foreign Affairs, and, perhaps, the President of the Board of Trade, were assembled, and with demure reverence and feigned sympathy they greeted him, broken in spirit, and about for ever to renounce those delightful illusions under which he had sallied forth so triumphantly; but, just at the moment when everything, though melancholy, was becoming—though sad, was in the best taste—Sancho's wife rushes forward and exclaims, "Never mind your kicks and cuffs, so you've brought home some money." But this is just the thing that the Chancellor of the Exchequer has not brought. Such was the end of the fourth and final expedition, and such is the result of the fourth and final budget. The Chancellor of the Exchequer, during the whole Session, has been bringing home barbers' basins instead of knightly helms; and, at the last moment, true to his nature, to his vocation, and to his career, he finds instead of surplus a deficiency, and, instead of reducing taxation, he commemorates his second year of finance by a second loan.

Now, I ask hon. Gentlemen to cast their eyes over the period I have sketched, from the 18th of February to the 25th of August—over the three budgets, the unconstitutional Committees on the estimates, and the fourth and final budget—and then I ask the House and the country with confidence for their verdict that whatever time has been wasted—whatever delay has taken place—has not been attributable to the discussions of Members, or to the forms of the House.

Her Majesty, in Her Speech, had been pleased to recommend two most important subjects to our consideration, in order that we might legislate upon them; and it is with very great regret that I find, on reviewing the business of the Session, that we have not complied entirely with Her Majesty's commands. That, at the first sight, is, I confess, an apparent stain upon the loyalty of her faithful Commons; and I shall now proceed, in as condensed a manner as possible, to see whether we are really guilty of that deficiency in our allegiance—whether it is our fault that we have not obeyed Her Majesty's commands in these two respects—first in passing measures for improving the health of the metropolis, and also the public health; and, secondly, in adopting a measure with respect to the laws which regulate the navigation of the united kingdom.

Now, with regard to the first of these measures, a sanitary law has been passed. The Bill was introduced on the 10th of February, and it was ordered to be printed, as amended by the Lords, on the 27th of July, five months afterwards. One can hardly conceive that five months can have been wasted upon a Bill which, I suppose, was a very matured measure, and which was rather pushed by the Government, without there having been very vexatious opposition, or prolix and unnecessary discussion on the part of the House of Commons; but, without official statistics, such an opinion might be precipitate. Now, what was the form in which this measure, which has since become law, was first introduced? It was "A Bill for Promoting the Public Health," which we ordered to be printed on the 10th of February, 1848, price 8*d.* It came again before us as a Bill, as amended by the Committee for Promoting Public Health, and it was ordered to be printed on the 13th of March: the ordeal could not then have been too severe. We had then another Bill—another edition rather—called "A Bill, as amended by the Committee, and on recommitment, for Promoting the Public Health, ordered to be printed 15th May," but the price had increased to 10*d.* That is significant that the "project of law" was much more ample in size than when it was first introduced. We had a fourth edition: "Clauses proposed to be Amended" were sent round on the 15th of May. Then there was another edition: "A Bill, as amended by the Committee, on recommitment, on second recommitment, and on third recommitment, for Promoting the Public Health, ordered to be printed 25th of May, price 10*d.*" At last we come to "A Bill, as amended by the Lords, entitled An Act for Promoting the Public Health, ordered to be printed 27th of July, price 1*s.*" The size of the measure bears an exact relation to the price; and, inasmuch as 8*d.* became 1*s.*, so the number of clauses and provisoes that were on every stage recommended to our consideration equally increased. Now, when we remember that on these various occasions, besides whole batches of clauses and new provisoes, there were endless alterations in the old ones—that the General Board itself, which was the essence of the whole thing, was changed during these discussions in its constitution, in the number of its members, in the nature of its functions and prerogatives—that it was once to have been a quinquumvirate with two paid members; then it was to have been an unpaid triumvirate; then a triumvirate with one paid member—that there is scarcely a function or a duty connected with the public health which has not been changed, transposed, and altered, during those five months of discussion—it is quite clear that this Bill was in a state which rendered a discussion in this House most profitable; that it was one of those instances in which Parliamentary criticism was not only a first duty, but a public benefit; and I do not think that anybody can remember the labours of many Gentlemen sitting on this side of the House, and especially of my hon. Friend the Member for Oxfordshire (Mr. Henley), in that respect, without feeling that an appeal to that legislation is precisely the instance which might be selected to prove the efficient services of the House of Commons. At the same time, I am perfectly willing to admit that the subject was one in which the labours of any Government should be viewed with great indulgence; all I urge is, that those five months, and those repeated editions of a legislative project, should not be adduced and referred to for the purpose of criminating this assembly. I am most willing to admit—I admit it with perfect sincerity—that if any other Member of the Administration but one, who combined such fine talents and such amiable dispositions as the Minister who had the management of the measure had undertaken it, I doubt whether it would have advanced to the ultimate goal; and I am sure that he had frequent occasions, during those discussions, to show those qualities which have rendered him deservedly one of the most popular men in this House and in this country. I think, however, the House will agree with me that no one will pretend that the manner in which the sanitary law was passed can be the foundation of any charge against the House of Commons.

Let us see, now, whether we are the guilty occasion of the navigation laws not having been repealed. Now, I do not enter at all, on the present occasion, or as little as possible, into the policy of measures: of course, as far as we, on these benches, are concerned, we are very glad that the navigation laws are not repealed, though equally, of course, we should never have offered any factious or vexatious opposition to the Government in that respect; but I am merely looking now to the instance of the navigation laws with reference to the conduct of public business. I find, in a return appended to the Report on Public Business, that the proposition respecting the navigation laws—a subject, the importance of which cannot be magnified, specially noticed and specially commended to our consideration in Her Majesty's Speech—was introduced into this House on the 15th of May. There were then two nights' discussion on the proposition, and subsequently there were four nights' discussion, ending on the 9th of June; and, excepting the formal introduction of the Bill afterwards, that is all the time that has been expended in discussing one of the most important alterations that probably any Minister, it will be admitted by all, could propose in Parliament, and especially in this country. Now, I ask the House, were six nights' discussion too much with respect to a proposition of a nature so remarkable—I will not say so impolitic—I will not enter into the policy—but I say of a nature so vast and comprehensive? I hold that we should have been acting with much want of consideration for our constituents, and for the country generally, had we not addressed ourselves to that great argument in a proper and ample spirit. My recollection of that debate is, that it was conducted with great talent on both sides, great knowledge, and great ability—that it was, on the whole, one of those debates of the Session that gave satisfaction to the country. Considering the nature of the subject—considering how the proposition was regarded, justly or not, as one that might affect the very springs and sources of our maritime supremacy—is it to be for a moment pretended that this was a matter on which, for the sake of saving public time, the House of Commons were to relinquish their high office of debate? No, Sir; I do not suppose that the noble Lord will allege that our conduct with respect to the discussions of his proposal for the repeal of the navigation laws were at all of a vexatious or frivolous character. That is not one of the discussions that have forced the fish dinner to be postponed for a week. But I have a charge against the Government, as far as the conduct of public business is concerned, for their not having carried the repeal of the navigation laws. If the subject is of such urgent importance as to be the first recommended in the Queen's Speech, why was your project introduced so late as the 15th of May? I will tell you how it was—because the noble Lord, when Parliament met, chose to introduce a Bill, to which he devoted all the strength and energies of the Government, on a subject which was not introduced into Her Majesty's Speech—the Jewish Disabilities Bill. The noble Lord knows full well that, as far as my opinion of that measure are concerned, I am making no imputation upon the noble Lord for bringing it in. I gave to the noble Lord, at no ordinary sacrifice, my support upon that occasion; but though I agree with the noble Lord as to the principle which animated his legislation, I do not at all approve of his conduct as manager of the House of Commons. My opinion is, generally speaking, that upon all subjects of that kind—the emancipation of the Catholics, and the like—it is not advisable that a Minister should bring forward a project of change unless he is able to carry his measure. I believe the evils are great of a Minister failing in measures of that kind: the failure imparts a party spirit and a party bitterness to subjects in which party bitterness at all events, and party spirit as little as possible, should mingle. Besides, it is an imprudent and impolitic course with regard to those whose interests you advocate, because, when the Minister is defeated, the cause always goes back. It is known that the battle has been fought under the most favourable auspices, and you always find a reaction. It is very different if you are in Opposition. If the noble Lord had been in Opposition, he would have been perfectly justified, from his position, from the opinions upon religious disabilities which he has always most ably upheld, in bringing the subject before the House year after year, to see whether, by fresh cogency of logic and increased brilliancy of rhetoric, he could make an advance in the House and in the country, and, in fact, to gauge the progress of the question. I think, in the position of the First Minister of the Crown, he was not justified in bringing forward a measure of this kind unless he had a moral certainty of passing it. But it is quite clear that his bringing in the Jewish Disabilities Bill, and pressing it forward, prevented his carrying the repeal of the navigation laws, and, so far as his conduct of the business of the Session was concerned, was a great mistake.

Perhaps I was in error when I said that pursuing the Jewish Disabilities Bill was the sole cause of the repeal of the navigation laws not being carried, because I think I showed the House that the main discussion had taken place on the 9th of June; and in a Parliament which sits to September, there is no doubt that even on the 9th of June it was possible to carry the repeal of the navigation laws, if nothing else had been urged. Now, what prevented it? It was prevented by the most remarkable circumstance of the Session, to which I shall now call the attention of the House, having, I hope, satisfactorily maintained my position that, both with regard to the measure for public health and the proposition for the repeal of the navigation laws, there had been no waste of public time by the conduct of the great body of independent Members of the House of Commons. The progress of this latter measure was arrested, I say, by the most remarkable circumstance of the Session—an event which gave a totally different colour and changed character to the remaining months of our sitting—which altered the whole tenor of debate — which influenced, in fact, the financial statement of the Minister—and which in one shape or other has, from that time to the present, entirely engrossed our attention, and a great portion of that of the nation.

The House will recollect that, when Parliament met, our sugar-growing colonies were beginning to experience the effect of the measure of 1846, the first and most felicitous effort of Her Majesty's Ministers. But who cares for the sugar colonies? Nobody attended to their complaints: they were recommended a little more competition—a little more energy—a little more enterprise; they were only to exert themselves, and they would do in time. Nevertheless, packet after packet arrived with accounts more gloomy, details more disastrous, till at last the gloom blackened, and the disaster assumed the aspect of despair. Fortunately for the sugar colonies, there is one Member of this House who, though not a Minister, or connected with Ministers, has some influence, and, what is more valuable, an intrepidity that cannot be daunted, and a perseverance that cannot be wearied. The noble Lord (Lord G. Bentinck) the Member for King's Lynn, disregarding any imputation of wasting the public time when he thought a public interest was at stake, determined to see whether it was not possible that, as long as we pretended to have a colonial empire, there should be at least some appearance of justice on the part of the Legislature to those colonies; whether, if we would not relieve them, we would not at least inquire into their condition, they alleging that that condition was mainly, if not entirely, occasioned by our recent legislation.

On the 4th of February, Parliament having met again after the Christmas recess, my noble Friend brought before the House the state of the West Indies in moving for a Committee. At first, the Government would not grant a Committee to inquire—at first, all that could have been done would have been to make a statement, or to move for a Committee, and be defeated by the ready legions of the Administration; but accounts had already arrived in the beginning of February which made even Downing-street listen to the plaints of those distant islands, and we were informed in the quietest manner that a Committee would be granted.

Lord JOHN RUSSELL: That was in December.

Mr. DISRAELI: Nothing is more painful to me than to make any misrepresentation—I thank the noble Lord.

Lord J. RUSSELL: The Committee was appointed in February, but I had agreed to it in December.

Mr. DISRAELI: The noble Lord is quite right—I am much obliged to him. On the 4th of February, the noble Member for King's Lynn made a statement, and a Committee, after some discussion, was appointed. But although the noble Lord is correct in saying that in December he agreed to a Committee, he will not find me incorrect in saying that on the 4th of February, when the Committee was appointed, he stated that he would not alter his policy. The Committee was nominated. It was little heeded at first. I believe, for the first month, except those immediately connected with the colonies, hardly a person was interested about it, or aware of its being in deliberation. The Committee was most impartially appointed, at least as regards the opinions which my noble Friend supports; for there was a preponderance of those who are favourers of the new commercial system. But at last, after a month or six weeks, rumours of the labours of this Committee, and the results of those labours, began to creep about; they were whispered in the House; you heard of them below the bar: despairing West Indians were found in the lobbies; they learned that there was a chance of succour—that such a case had been made out that men who had entered into the Committee with preconceived opinions against them began to hesitate. The labours of the Committee, or of some Members of it, I believe, were of almost unparalleled severity. We heard the other day of a gentleman who had been knighted because his labours had lasted eighteen hours a day, he being also well paid for them. I think my noble Friend said that he sometimes laboured eighteen hours a day. I can bear witness to it in reference to other occasions; and though I was not a Member of the West Indian Committee, I believe there were frequent instances during that inquiry in which he laboured eighteen hours a day. The report of this Committee, of which I have already reminded the House in my narrative of the labours of the principal Committees of the Session—this Committee appointed on the 4th of February, and formed as to its majority of Gentlemen favourable to liberal opinions in commerce—the report, made on the 29th of May, recommended the maintenance of duties on a scale which would have given a differential duty of 10*s.* to the colonies. But on the same day, "Lord John Russell (I quote from a written record) proclaimed the firm determination of the Government to maintain the Sugar Duties Act of 1846;" and the House will see that if the Government had remained firm in their determination, and if they had not indulged in useless discussions, they might have passed the repeal of the navigation laws. The noble Lord had declared on the 4th of February that he would not change the Act of 1846; the noble Lord announced on the 29th of May the firm determination of the Government to adhere to the same Act. Between the 29th of May and the 1st of June—the period is not considerable—how many Cabinet Councils were held between the 29th of May and the 1st of June? Although I have made some researches for this condensed epitome of our life of ten months, I have not been able to ascertain; but on the 1st of June, the same Prime Minister who was unalterable and firm on the 29th of May, came down to this House and volunteered a statement when we were approaching another and a necessary relaxation—the Whitsun vacation—that on the 15th or 16th of that month, when we should meet again, some Member of the Government would inform the House and the country what the Government intended to do with the sugar colonies. On the 16th of June, the announcement of the Government measure was made; and, not to enter into details too familiar with most of us, and wearisome at this moment, when I have already been obliged to abuse your indulgence, I may say generally of this project of the Government that it was an absolute departure from the principle of the Act of 1846, to which we had been twice informed the Government was unalterably devoted.

Why, Sir, does it not strike the Government—I think it must strike the House and strike the country—that if the Government had been less infirm of purpose in this respect—if they had not introduced all those discussions which for three months have engrossed our time—public business might have been advanced in a very different way from that in which I shall show that it has been. But the measure is brought forward. I do not enter into the various portions of the scheme, because I take it for granted that Gentlemen and the public have them fairly in their minds—that it was, in fact, to establish for a period a differential duty in favour of the colonies—that it also promised the advance of a large sum for purposes of immigration—that it proposed a change of the duty on rum—these and the other points are so familiar that I will not dwell upon them; and the more, because it is not my object to-day to enter at all into the policy of questions; and all that I want to do is to discover the causes why the public business of this country is not conducted in a satisfactory manner. Therefore, I say generally, the resolutions of the Government were brought forward, and were discussed by this House; the discussions upon these important resolutions took up ten days. Considering the question at issue—considering that the principles of our colonial empire were, in fact, under discussion—considering also and never forgetting the peculiar manner in which the matter was brought under our notice—the suddenness of it—the apparent hesitation and caprice of the Minister—it can hardly, under these circumstances, be said that ten days were an excessive time for the discussion of this great question.

But when I examine the details of that period of ten days, I find that nearly four were absorbed by two episodes which really had nothing to do with the great question before us. There was, first, the third budget of the Chancellor of the Exchequer, which, on the authority of the right hon. Member for Manchester (Mr. M. Gibson) and the hon. Member for the West Riding (Mr. Cobden), absorbed two days; and there were also two absorbed by that incident which is known by the name of "the missing despatch;" what was styled at the time in this House "a petty personality," but which I believe is pretty well recognised by the country to have been a great Ministerial blunder. "The missing despatch" took two days. I do not want to go back into the details of "the missing despatch;" but still, at the last day of the Session, before the curtain falls, I cannot help remembering the missing despatch, and some other despatches which have not been placed upon this table. I cannot help expressing my regret that we live in such times, and have come to such a pass in England, that the state of our colonies is such, that even the despatch of a colonial Governor cannot be safely placed upon the table of an English House of Commons. Ten days, then, upon the resolutions. I think I have shown that it is not the House of Commons that is responsible for the discussion upon the sugar question; the ten days of discussion were, in fact, only six upon the merits of the case: had they been sixteen, the merits of the case justified it.

But at last we got into Committee, and here is the Bill: let us see how the time of the House was managed on the Bill by the Government—whether, as the termination of the Session was impending, the noble Lord, conscious of the magnitude of the duties which he had left unperformed or neglected, and his faithful and skilful coadjutor the Chancellor of the Exchequer, already acquainted with the value of time from previous experience in his budget, came forward with a penurious spirit, counting their minutes and doling out their instants at the last: let us see how efficiently, how ably, they had prepared their Bill for the House of Commons; let us see whether this great fish dinner was put off because we wasted the public time; let us see what was occurring in the House of Commons in that week spent in Committee on the Sugar Bill, the very week in which the fish dinner ought to have taken place. In the first place, on the 16th of July, when we ought to have gone into Committee, the trade had discovered—and the noble Member for King's Lynn brought the case before the House—that sugar refined on the Continent of Europe, before only admissible at a duty of three guineas, would in fact be admitted at a much lower rate. I need not go into the merits of the claim for refining in bond. I will not enlarge upon the injustice of not allowing to Englishmen the privileges allowed to foreigners. I only want to remind the House that the Chancellor of the Exchequer, on behalf of the Government promised, in consequence of that discovery, to bring forward a general measure upon the subject of refining in bond which would remedy that great inequality and injustice.

On the 20th of July, before going into Committee, a Member of this House interested in this question, the Member for the Tower Hamlets (Mr. G. Thompson), made an appeal to the Chancellor of the Exchequer, who replied that the Government proposed to bring in a Bill to allow refining in bond for home consumption. On the very same day the Member for King's Lynn brought forward another informality in the Bill, arising out of the description of British plantation growth and produce inserted in the Bill, upon which the Government at that time were unable to give any answer. On the following day, the 21st, the Member for King's Lynn opened what he called his "masked battery" of twenty-five arithmetical blunders in the Bill; and on the same day other objections with regard to the arrangement of the Bill were made by the right hon. Member for Cambridge University (Mr. Goulburn).

After all this—after, in fact, influencing the conduct of the trade, and receiving on their part from the Member for King's Lynn their thanks for the satisfactory manner in which the question of refining in bond was settled—the measure for refining in bond was withdrawn by the Government.

Of course, I need not say that when a Government comes forward in Committee and announces one day its intention of proposing a measure which is satisfactory to the trade whose interests are in question, and on another day withdraws the announcement, these are circumstances that in a free Parliament must lead to discussion. Why, what are we here for but to attend to the interests of these classes and these trades, many of whom are our constituents? The Government, when they had made so important a promise and afterwards withdrawn that promise, cannot find fault with us because we have not passed over their conduct without criticism. The first Bill is withdrawn — a second Bill is introduced, in which the twenty-five blunders are dealt with; seven of them are corrected, and two new ones are created in correcting the seven. Sixteen of the old blunders are reprinted in this second Sugar Bill—a Bill introduced absolutely with a skeleton schedule! So matured are the projects of the Government—in such a business-like manner are their schemes submitted to this House—so determined are the Government that the House of Commons should have no opportunity to enter into vexatious discussions.

Will it be believed that it was found necessary to withdraw the second Bill also, and introduce a third, and in the third the Government confessed to the old sixteen blunders which they would not correct, and to the two new ones which they made in correcting others of the old, making altogether twenty-five acknowledged blunders of the Government, and leaving still seven unacknowledged, which we have authorised by our legislation—blunders of such a character as calculating that there are four groats in a shilling! But what is the result of all this? After ten days' discussion in the House of Commons upon the resolutions, with the Speaker in the chair, six days' discussions and seven divisions take place in Committee, solely occasioned by the imperfect preparation of these measures—these three graceful emanations of administrative genius—this skeleton Bill and its companions.

Now, I have carried you through the sugar question, I am approaching the end of the Session. I am well aware that I have trespassed upon the time of the House; these are the sayings and doings of ten months that I have to condense in these observations, and I have touched nothing of a light character. I have endeavoured to put the case fairly before the House in a clear if not an efficient manner, not mixing up subjects together, but tracing from its source to its termination the whole course of legislative and ministerial management in each particular branch. I have now put the House in possession of the facts respecting the sugar question; and I ask the House and the country, is it possible to substantiate, in respect of this, the largest and the most considerable feature in the second moiety of the Session, that there is any reason for the people of England to lose their confidence in the privileges of their Members, or in the forms of this House, to which those Members are returned?

There is another very important point to which it is my duty to advert. In referring to the discussions upon the sugar question, which lasted for ten days, I mentioned that of those ten days, two were taken up by episodes, the "missing despatch," and the third budget; but there were other circumstances which absorbed our attention, and diverted our consideration from the great question before us. Almost every day during those ten days of discussion there was a writ moved for; there was the Derby case, the Sligo, and then the Derby again for two more hours; and this reminds me what an amazing quantity of time has been lost this Session in moving writs, and dealing with delinquent boroughs. I want to know—I have tried to ascertain—for all that I do is merely severe investigation, and I give no opinion except in asking you to draw inferences as we go on — how much time has been wasted about the conduct of delinquent boroughs this Session, and how far the House of Commons is responsible for that. It is a subject, I know, that has much engaged the attention of the noble Lord. We got into a mess at the beginning of the Session about delinquent boroughs. No one knew exactly what to do with them. The question arose whether, when there had been treating at an election, the constituency ought to be virtually disfranchised? Some were of opinion that they ought—others that they ought not; all was confusion. In fact, it was eminently an occasion which called for a leader of the House of Commons to come forward and condescend to guide public opinion and the conduct of the House. If the leader of the House of Commons—a man celebrated for his constitutional knowledge—of great historical attainments—a man who, when called upon to act, has the power of generalising from a large quantity of facts stored in his mind—a scholar as well as a statesman, and in my opinion certainly not deficient in courage—if, I say, a man in this eminent position of a great constitutional statesman and leader of the House of Commons could have spared some litte time from those councils wherein he arrived at a fixed determination not to change the sugar laws, to point out to the House what was the just and proper course to be pursued with respect to the delinquent boroughs, we might, perhaps, have saved some of the valuable time which has been lost. The delinquent boroughs first brought under the notice of the House caused little debate. At last Derby came before us, and it was debated on no fewer than five occasions. The Harwich case was debated four times, Horsham six times, and Leicester twice. In all there were nineteen considerable discussions upon the question of issuing writs to these places. This was the consequence of the House having adopted no principle to regulate its decisions with reference to these questions. While all this irregular work was going on, and time was wasting because the House of Commons was not properly led, a great deal of legislation was in progress about the delinquent boroughs. The hon. Member for Flint, who is an extreme purist and a supporter of Ministers, ashamed of their not having legislated for the delinquent boroughs, himself introduced a measure on the subject, which he called the "Borough Elections Bill," which was called "No. 1." I find, by the official record, that this Bill was ordered, read a first time, and then No. 1. was withdrawn. Not satisfied with this result, the hon. Member for Flint set to work again with "Borough Elections Bill No. 2," which was ordered, read a first, read a second time, considered in Committee, and then withdrawn. All this time you were left without any principle to guide you in dealing with this important subject. At last the thing began to get interesting. It was seen that the Member for Flint, whose name certainly justified him in appealing to the House, had tried his "'prentice hand" at legislation, had failed, and the Horsham Borough Bill somehow got upon the table. The Horsham Bill was read a first and, after considerable debate, a second time. Matters had now arrived at such a pass (it was what the Italians call an *imbroglio*) that the noble Lord thought it was time to exert himself. He accordingly took the business into his own hands. The Horsham Bill was withdrawn, and a measure called the "Corrupt Practices at Elections Bill" was introduced, which, after several discussions, was passed through all its stages. That shows what a Government can do when it sets about it. But this ought to have been done before, and then the House would not have been troubled with the two Bills of the hon. Member for Flint, and the Horsham episode, nor with the nineteen debates upon the question of issuing writs. However, the noble Lord having at last got the Corrupt Practices at Elections Bill through this House, sent it to another place where he can do as he likes. There a most extraordinary state of things prevails. In this House the Government has at least an opposition by courtesy; but in "another place" there is not at present even the semblance of an opposition. Three or four—I must not say noble Lords, but mysterious entities—were all who were assembled upon the occasion when the Corrupt Practices at Elections Bill came under consideration in another place; the other Members of that Assembly, on the 16th of August, were in different quarters, and employed in different work. The select few who remained at their posts were quite a constitutional party. They were all Whigs, and, having no one else to attack, they began quarrelling among themselves. The Lord Chancellor moved the second reading of the Bill, whereupon the Lord Chief Justice of England—the Attorney General of the Reform Bill recollect, and one, therefore, who knows all about delinquent boroughs, as all Attorney Generals do—declared that he had felt it his duty to come down to the House. I will avoid infringing the rules of debate by saying that, in another place, which is very well known, and much more useful than some people imagine, an eminent person did say that he had felt it his duty to come down there for the sole purpose of opposing the measure, and he declared that it was "liable to objections of every description." Whereupon, another person, for whom I entertain the highest respect, and who exercises in another place the functions which the noble Lord so ably discharges here, got up and withdrew the Government measure. I make no comment on that proceeding; it is not my object to do so; but I call upon the noble Lord, who is a man of generous temperament, to bear all these circumstances in mind, and then I think he will not get up and complain of the abuse of the time of this House in some such terms as these:—"Here we are at the 30th of August, and nothing done; it is you, Gentlemen, opposite—it is your factious and malignant opposition who have wasted the public time, and destroyed the health of the Government—on you alone the responsibility rests."

I have now done with this subject; and I may observe that I was reminded of these writs for the delinquent boroughs by what occurred during the sugar debate—that great question which it was the determination of the Government not to have introduced to our notice, but which the indomitable will of my noble Friend the Member for King's Lynn, of whom it may be said, *quod vult valde vult*, forced upon the attention of the House.

I ask the House, if it has done me the favour to attend to the argument which I have endeavoured to place before it, whether I have not given you some information which may enable you to form a judgment, as to whether the blame of legislative failure in the present Session rests with the House of Commons or with another quarter. I might point out that, during the ten months we have been sitting here, there has been sedition in England, insurrection in Ireland, and revolution in Europe. I should like to have seen the Whigs in opposition with such advantages as these. I think that then, indeed, the time of the House, if it had the power of sitting twenty months in the year instead of ten, would have been fully expended, but for what objects and with what results I will not stop to inquire.

I have already obtained from the noble Secretary at the head of the Foreign Department the admission that, as far as foreign affairs are concerned, in this the most important year which has occurred since I entered Parliament, when questions were every day occurring which would have justified much discussion, there has been manifested on the part of the House an extreme desire not to press upon the Government, nor to expend the public time by discussion upon topics connected with our external relations. For my own part I must say, that I suffer some twinges of conscience for not having performed my duty to the merchants engaged in that trade, by bringing forward the question of the affairs of the River Plate, as the noble Lord knows it was my intention to have done at the commencement of the Session. However, having painful experience of the complicated nature of those transactions, and feeling that all the energies of the noble Lord were required by, and all his time occupied with, other matters, I resolved not to compel him to turn to the dusty records in which the River Plate question is involved to make himself familiar with all the details of six missions, and to abandon my intention of submitting it to the consideration of the House.

So much for foreign affairs. As regards our own country, I think that the condition-of-England question has not occupied much of our time. There was an occasion when that question might legitimately have been brought under discussion—I mean at the moment when the monster petition was presented to this House. It was generally understood that such a discussion was then to take place, and but one feeling prevailed upon the occasion—namely, that it would be for the advantage of all interests that the question should be fully and fairly debated. I will not enter into the merits of that question: all I am anxious to do is, to bring to the recollection of the House, that with respect to the state of England no discussion has taken place in the House of Commons. As regards Europe and England, there has been no waste of the public time. Let us see whether there has been any waste of time with respect to Ireland.

Early in the year, when Parliament met, its attention was called, in the Queen's Speech, to the state of Ireland. The Government introduced a measure—I believe a very good one—which was fairly discussed and passed through both Houses. Nevertheless, it is a fact which must not be forgotten, that a noble Friend of mine in the other House, whilst supporting that Bill, took the opportunity of asking the Government whether they did not intend to go further. He asked them whether they did not think it advisable to suspend the Habeas Corpus Act, and to pass a law to make treason felony? The Government could give no satisfactory reply. They did nothing then, but subsequently they were obliged to adopt both of my noble Friend's suggestions. That circumstance alone, shows how friendly an Opposition the Government has to deal with. On another occasion a noble Duke expressed an opinion that the Government ought to renew the Alien Act. The Government said at the time that they did not know what they might do; but, in a few days after, they did as they were told. I put this question to the House:—when an insurrection took place in Ireland, and the Government felt it their duty to propose stringent and unconstitutional, but for the time necessary measures, what was the conduct of the House of Commons? Did the Government experience any inconvenience from an enforcement of those ancient forms which our predecessors created and cherished as the defence of a minority, and for the preservation of public liberty? The question was for the rescinding of all the civil liberties of Ireland; but, the necessity of the measure being felt to be complete, was the opportunity taken by any hon. Member to make speeches attacking, or in any way hampering the Government? Did even any demagogue elevate himself on that occasion in order to excite the passions of a distant multitude? Left as we are without leaders, without a general manager of the House, split into sections—every thing at the discretion of individual Members—what upon that occasion was the conduct of the House of Commons? I say it was a model for any constitutional assembly in Europe. The traditionary good sense, the instinctive spirit of the English nation, proved themselves on that occasion—we showed a great example to Europe, and that this old Parliamentary constitution, which it is now the fashion to vilify as inefficient, unable to do its work, and not adapted to this enlightened and statistical age, as antiquated and cumbersome, could combine, if necessary, the energy of a despotism with the enthusiasm of a republic.

I have now tested the two causes which are alleged for the present unsatisfactory state of affairs. I am not aware that I have omitted any topic which I ought to have introduced. I think I have shown that the causes alleged are not founded in fact. If time has been wasted, it has not been owing to the conduct of Members or the forms of the House. Time, however, has been wasted, and it remains for me to acquaint you with the consequences of that waste of time.

I am going to read the bills of mortality for the Session of 1848. The obituary is almost complete, being drawn up as late as last Saturday night. This is what the country has lost. I hold in my hand a list of forty-seven Bills, all of them important, and many referring to subjects of great interest. More than two-thirds of them are Government measures, and, therefore, they ought not to have been brought forward unless demanded for the public weal. I will say nothing of the Jewish Disabilities Bill and the measures respecting the navigation laws: they have consecrated monuments of their own, and are not in my list. But here is a list of forty-seven Bills abandoned, withdrawn, or postponed during the last six months—a consequence of the time which has been wasted:—Outgoing Tenants (Ireland) Bill, Borough Elections Bill, Elective Franchise and Registration of Electors (Ireland) Bill, Polling Places (Ireland) Bill, Audit of Railway Accounts Bill, Schoolmasters (Scotland) Bill, Tenants at Will (Ireland) Bill, Metropolis Police Bill, Agricultural Tenant-right Bill, Poor Law Union Charges Bill, Qualification of Members Bill, Tithe Rent-charge, &c. (Ireland) Bill, Borough Elections (No. 2) Bill, Horsham Borough Bill, Lunatic Asylums (Scotland) Bill, Qualification and Registration of Electors (Ireland) Bill, Election and Polling Places (Ireland) Bill, Light Dues Bill, Scientific Societies Bill, Roman Catholic Charitable Trusts Bill, Roman Catholic Relief Bill, Sale of Bread Bill, Highways Bill, Waste Lands (Ireland) Bill, Poor Law Officers' Superannuation Allowances Bill, Landed Property (Ireland) Bill, Bakehouses Bill, Life Policies of Assurance Bill, Cruelty to Animals Prevention Bill, Clerks of the Peace (Dublin) Bill, Appeals in Criminal Cases Bill, Smoke Prohibition Bill, Remedies against the Hundred Bill, Registering Births, &c. (Scotland) Bill, Marriage (Scotland) Bill, Landlord and Tenant (Ireland) Bill, Provident Associations Fraud Prevention Bill, Chancery Proceedings Regulation Bill, Charity Trusts Regulation Bill, Fees (Court of Chancery) Bill, Legacies to Charitable Institutions Bill, Officers of Courts of Justice (Ireland), Assimilation of Appointments Bill, Poor Removal (England and Scotland) Bill, Renewable Leasehold Conversion (Ireland) Bill.

I hope I have now shown that the Members of this House are not responsible for the waste of public time—that if there has been vacillation, it is not the House of Commons that has wavered—that if there has been weakness, it is not we who can be charged with infirmity of purpose. I have endeavoured to vindicate the House of Commons from the opprobrium of being the cause of a great public evil. I call it a great public evil: it is more; it is a great national calamity, because, what is the nature of the charge which is proclaimed? It is this, that the system of government which prevails in this country is a system incompetent to pass those laws and carry those measures which are necessary for the public welfare. I cannot imagine a state of circumstances more grave or more perilous.

Having endeavoured to persuade the House that the alleged causes of the present unsatisfactory state of affairs are not the real causes, I think it is but right—I think it is but frank—to state what I think the real cause to be. In my opinion, it is not difficult to discover: it is not remote; it is neither distant nor hard to find. I shall fairly state it, with no personal feeling of any kind. I am willing to admit that hon. Gentlemen opposite, as far as personal qualities are concerned, need not, upon the whole, shrink from competition with any body of men in this House who may reasonably be called upon to administer the Government of the country; but I must say that, if I be asked the cause of the great evil at issue—this avowal of political incompetency in the institutions of the country—I find the cause—there. [The hon. Member here pointed to the Treasury bench amidst the loudest cheers.] I see there a body of men who acceded to power without a Parliamentary majority. I think that they were justified by the exigency of the case in so acceding to power—nay, that their conduct was in accordance with the practice and the genius of the constitution; but, though they were in the first instance justified in taking office without a Parliamentary majority, they are not justified in retaining it under such circumstances; and their having done so has occasioned two results, both of a very serious description. In the first place, we have a Cabinet who, in preparing their measures, have no conviction those measures will be carried. After all their deliberations—after all their foresight—after all their observation of the times—after all their study of the public interest, when their measures are launched from the Cabinet into this House, they are not received here by a confiding majority—confiding, I mean, in their faith in the statesman-like qualification of their authors, and in their sympathy with the great political principles professed by the Members of the Administration. On the contrary, the success of their measures in this House depends on a variety of small parties, who, in their aggregate, exceed in number and influence the party of the Ministers. The temper of one leader has to be watched—the indication of the opinion of another has to be observed—the disposition of a third has to be suited; so that a measure is so altered, remoulded, remodelled, patched, cobbled, painted, veneered, and varnished, that, at last, no trace is left of the original scope and scheme; or it is withdrawn in disgust by its originators, after having been subjected to prolonged and elaborate discussions in this House. This is one of the great causes of that waste of public time which, in these days, is as valuable as public treasure.

There is another inconvenience resulting from the present position of the Government—in my opinion more serious, if not so flagrant—and that is, it is impossible to expect from Ministers thus situated those matured, finished, and complete measures which, under other circumstances, we should have a right to demand from them. Men in their situation will naturally say—"What is the use of taking all these pains, of bestowing all this care, study, and foresight, on the preparation of a measure, when the moment it is out of our hands it ceases to be the measure of the Cabinet, and becomes essentially the measure of the House of Commons? And, therefore, measures are thrown before us with the foregone conclusion that we are to save the Administration much care and trouble in preparing the means of governing the country. Thus it happens that the House of Commons, instead of being a purely legislative body, is every day becoming a more administrative assembly. The House of Commons, as now conducted, is a great Committee sitting on public affairs, in which every man speaks with the same right, and most of us with the same weight. No more the disciplined array of traditionary influences and hereditary opinions—the realised experience of an ancient society, and of a race that for generations has lived and flourished in the high practice of a noble system of self-government. That is all past. For these the future is to provide us with a compensatory alternative in the conceits of the illiterate, the crotchets of the whimsical, the violent courses of a vulgar ambition that acknowledges no gratitude to antiquity—to posterity no duty; until at last this free and famous Parliament of England is to subside to the low-water mark of those national assemblies and those provisional conventions that are at the same time the terror and the derision of the world. Sir, I trace all this evil to the disorganisation of party. I know that there are Gentlemen in this House who affect to deprecate party government. I am not now going to enter into a discussion respecting party government; but this I will tell you—as I have told you before, in a manner which has not yet been met by any of the Gentlemen who oppose my views on this subject—that you cannot choose between party government and Parliamentary government. I say, you can have no Parliamentary government if you have no party government; and, therefore, when Gentlemen denounce party government, they strike at that scheme of government which, in my opinion, has made this country great, and which I hope will keep it great. I can foresee, though I dare not contemplate, the consequences of the system that now prevails. They are weak words that would describe them as prejudicial to the realm, perilous to Parliament, fatal to that high tone of public life that is the best security for national grandeur and public liberty. It is more than this: it is the *finis fatorum* of the great Dardanian house. I really believe that, if you persist in this system, it will effect results which no revolution has yet succeeded in accomplishing—which none of those conspirators that you have lately disturbed in their midnight conclaves have had the audacity to devise. I know no institution in the country that can long withstand its sapping and deleterious influence. As for the class of public men that have hitherto so gloriously administered the affairs of this country, I believe they will be swept off the face of our political world. For my part, I protest against the system: I denounce it. Even at the eleventh hour, I call upon the country to brand it with its indignant reprobation. But, whatever may be the consequences—whatever may be the fortunes of individuals or the fate of institutions—I at least have had the satisfaction of calling public attention to this political plague-spot—I at least have had the satisfaction of attempting to place in a clear light the cause of this great national evil. I have had more—I have had the consolation of justifying this great assembly, in which it is my highest honour to hold a seat, and of vindicating, in the face of England, the character and conduct of the House of Commons.

Lord J. RUSSELL: I must, in the first place, thank the hon. Gentleman for consulting my personal convenience as to the time of bringing this question before the House; I will next thank him, as a Member of this House, for the very diverting speech he has made, although in what it originated, or to what object it was directed, I am at a loss to discover. With respect to the origin of his speech, indeed, the hon. Member read a paragraph from a Sunday paper, referring to the day fixed for the fish dinner. I asked the hon Member whether he was reading from the *London Gazette*. The hon. Member replied in the negative, but said, that the information contained in that paper was of a more sacred and confidential character than any which appeared in the *Gazette*. This certainly was new information to me. At any rate, I can state that the whole story as given in the paragraph about the fish dinner being postponed from the 19th to the 26th is fabulous; that story, however, such as it is, seems to have formed the foundation of the hon. Member's address to the House. In commenting on what has passed during this Session, the hon. Member seemed to imagine that he had to defend the House of Commons from some charge which the Government had made against it. When I heard the hon. Gentleman pursuing this course, I was disposed to say, like the person who was told that reflections had been cast upon Hercules—*Quis vituperavit?* I can state, on the part of the Government, that no such charge has been made. During the Session we have received support in many instances, which were quoted by the hon. Member for Montrose yesterday. The measures which we have been able to bring before the House have been generally supported; and indeed some of those which have been abandoned or postponed, such, for example, as the proposed repeal of the navigation laws, were supported by considerable majorities. The hon. Member seems to suppose that we have attacked the House because some observations have been made about time being wasted in prolix and tedious debates. Now, I do not wish upon this occasion, when there is no proposal before the House for a change in our forms, to enter into a discussion whether any and what alteration in those forms may be useful for our present habits and practice. But this I will say, that there was formerly no practice more sanctioned and encouraged by usage than the practice of discussing the subject of petitions at the time when they were first presented. Hon. Gentlemen who presented petitions usually defended the sentiments expressed in them at some length; and I have heard debates go on till 9 or 10 o'clock at night, in consequence of the speeches made by various Members on the presentation of such petitions. And yet that practice has been abolished, nor has any complaint been made of a hindrance to free discussion. If that be the case, it shows that there may be some alteration in the forms of this House without injury to the essential rights of discussion, and without impediment to the freedom of debate. Hon. Gentlemen resisted when the proposal for that alteration was made; and I remember that one statesman, by whom freedom of debate was certainly valued as much as any man—I mean Lord Brougham—loudly protested against the change, and declared that freedom of debate would be lost if the alteration were made. No evil consequences, however, have resulted from it; so little true is it that by a change of forms you sacrifice that freedom of debate which is essential to fair discussion. The hon. Gentleman has gone into a commentary on the proceedings of this Session, and has led the House through various measures, to some of which I shall allude. But let me, before I do so, remark upon one sentence which fell from the hon. Gentleman towards the conclusion of his speech. He said, that in this year there had been sedition in England, incipient rebellion in Ireland, and revolution in Europe. Now, let me call the attention of the House to the fact that the Ministers of the Crown are chiefly appointed to administer the affairs of the empire; and when we see that sedition in England has been met with a vigorous arm by the Secretary of State for the Home Department—assisted by his Colleagues—when we see that rebellion in Ireland has been suppressed by the measures taken by this House, and the energy shown by the Lord Lieutenant in Ireland —when we find that revolution on the Continent has not shaken the institutions of this country; and that, however convulsed the state of Europe may have been, we have preserved peace hitherto in the midst of these convulsions—I must say, as a Member of the Government attacked, that the administration of the empire cannot have been so very defective; sedition having been quelled, rebellion suppressed, and peace preserved in the midst of European convulsion. I am the more induced to make this remark, because however the hon. Gentleman may praise the ancient constitution of this country—in which I am most happy to second him, though perhaps my panegyric may be less eloquent than his own—I must yet remind the hon. Member and the House, that this supposed duty of the Members of a Government to introduce a great number of measures to Parliament, and to carry those measures through Parliament in a Session, is a duty which is new to the Government of this country. That duty may have been more or less well performed by the present Government; but it is a duty which was hardly known and recognised by the Governments and Ministers of this country at a former period. I will mention three Ministers who were supported by as large majorities as any which can be found in Parliamentary history. The first of these is Sir R. Walpole. It would be really difficult to name the legislative measures which Sir R. Walpole introduced. There was, indeed, a measure which he brought forward involving an alteration in the Excise laws, but he failed to carry it. I may mention also Lord Chatham, who was supported by a Parliamentary majority for six Sessions almost without debate, and with hardly a division, and yet, with the exception of a Bill which provided that soldiers' pensions might be paid in advance, with a deduction of 5 per cent, I do not know any Act to which the name of Lord Chatham is attached. Another Minister of the Crown, who was supported by a large majority, and of whom his supporters used to say that he was born to maintain the institutions of the country—I allude to Mr. Pitt—stands in the same position. With the exception of his great measure for the union of this country with Ireland, few legislative acts can be found to which the name of Pitt is attached; and it is well known that he attempted, but was not able to carry, a measure on the subject of tithes, which was not ultimately carried till the period of Lord Grey's Administration. I say, therefore, that it is not the sole or principal duty of a Government to introduce legislative measures, or to carry them through Parliament. I am bound to declare that in times of great difficulty and pressure, the chief portion of the time and attention of Ministers must be given to those questions of administration which devolve upon them in the exercise of the discretionary power vested in the Crown, and which every day may call forth. When, therefore, these questions of administration have to be attended to, it is more difficult than usual to watch the details of every measure which may be brought before Parliament. And yet, notwithstanding this state of things, and the difficulty which we felt in meeting them, I find that out of 125 Bills introduced by the Government during the present Session, 105 Bills have been already passed, or have received so much of the sanction of the House as to make it probable that they will receive the assent of the Crown during the present Session. Many of these Bills are of the utmost importance. The Crime and Outrage (Ireland) Bill has produced most important effects in suppressing the system of assassination which prevailed there before the Act passed. The Evicted Destitute Poor Bill is likely, on the other hand, to be of great use in mitigating the cruelties of those evictions which sometimes take place in Ireland. With regard to the measure for the sale of encumbered estates, I own I consider that while it requires the utmost attention to its details, it is still a measure which may lay the foundation for a sounder state of society in Ireland; and I trust that the encumbered estates which may be sold may come into the possession of landlords who may be sensible of the policy of attending to the improvement of the estate, and the wants of the population. But the hon. Gentleman has gone through a number of measures with regard to which he says that the vacillation, or change of purpose, of the Government, has produced the most injurious effects. The first question to which he referred was the question relating to commercial distress. Now, every one knows what was the course pursued with regard to that subject. We were obliged, in the course of the last autumn, to take a step which might have led to a violation of the law, and which was certainly not justified according to the letter of the Act of 1844. We thought it necessary to summon Parliament to meet in consequence of our having taken that step. It was not for us to propose any measure approving of the conduct which we had pursued; but we summoned Parliament for the purpose of meeting any vote of censure which might be proposed. The party to which the hon. Gentleman belongs—because he declares himself to be not only the advocate, but a member of a party—had just at that time obtained an accession to its ranks in the person of the right hon. Gentleman the Member for Stamford. In the year 1846, when that party seceded from the support of the right hon. Baronet the Member for Tamworth, they displayed very great ability in assailing the measure with which they had then to deal; but it was their misfortune not to have amongst them a gentleman acquainted with official methods of transacting business. With the new Parliament, however, they had the good fortune to recruit the right hon. Gentleman the Member for Stamford—a gentleman of great practical experience, of great official knowledge, and who had particularly turned his attention to the financial and monetary concerns of this country. Well, that right hon. Gentleman, when the question of commercial distress was brought before the House, moved—

> "That, looking to the state of distress which has for some time prevailed among the commercial classes, and to the general feeling of distrust and alarm by which the embarrassments of trade have been aggravated, it is the opinion of this House that Her Majesty's Ministers were justified, during the recess of Parliament, in recommending to the Bank of England, for the purpose of restoring confidence, a course of proceeding at variance with the restrictions imposed by the Act 7 and 8 Victoria, c. 32."

Now, here is no matter of blame to us. We adopted a very strong measure—a measure which, if wrong, would have exposed us to the censure of Parliament and the country—and we called Parliament together to express its opinion on the subject; but the very first person who called upon the House to pass a resolution justifying our conduct was the right hon. Gentleman, who belonged to the party most opposed to us. The hon. Member then entertained the House very greatly with his accounts of the four budgets. The whole of the joke—of which I believe the noble Lord (Lord G. Bentinck), whom I see laughing at it opposite, is the real author—lies in giving to every statement made with respect to matters of finance the name of a budget. When the Minister whose business it is to attend to the finances of the country makes any statement, in answer to questions put to him, the statement is directly called a budget. The appellation is considered very witty, everybody laughs, and it is exceedingly pleasant to talk of a Chancellor of the Exchequer who has produced four budgets. But, Sir, I have known Ministers, before now, who have brought forward propositions on the subject of finance which have not been palatable to Parliament or the country. When I first had a seat in Parliament, I voted against the continuance of an income-tax for two years, which was proposed for the purpose of winding up the accounts of the war. On that proposition the Government of the day was defeated. The consequence was, that on the following day the noble Lord who was at the head of that Government gave up another tax—part of the war tax. The Government of that day, not having the means of paying off the war establishments which they had expected to obtain, did not press upon the House the views which they entertained; but in those days we, who were in opposition, were not so witty, and we never thought of saying that a Chancellor of the Exchequer had brought forward three or four budgets. The Government of the day gave up the expectation they had of reducing the debt of the country, and the consequence is, that the debt of the country is larger than it would have been, and the country was freed from the additional income-tax. The hon. Gentleman finds fault with us for agreeing to a Committee on the Estimates, and he draws a very fine distinction between this Committee and the Committees appointed by Mr. Pitt, Lord Castlereagh, and the Duke of Wellington. But the objects of the Committees appointed by Mr. Pitt, by Lord Castlereagh in 1818, and by the Duke of Wellington in 1828, were in effect the same. [Mr. Disraeli: They were appointed under a message from the Crown.] True; that was the difference; and the hon. Gentleman thinks that the appointment of a Committee of the House of Commons is contrary to the spirit of the constitution, and likely to lead to the most dangerous consequences, because there was not a message from the Crown that it was desirable that an inquiry by a Committee should take place. I accept that distinction, but, at the same time, I must say that I do not think that the absence of a message from the Crown is likely to be so exceedingly dangerous a precedent, What really would have been dangerous was for us to have left to the Committee to say what should be the number of men employed in the Army and Navy. But we did no such thing; on the contrary, we stated that the opinion of the Government was that a certain number of men ought to be employed for the present year, and that no expression of opinion on the part of the Committee would induce us to change that determination. Everything, therefore, which the hon. Gentleman says of that kind, I think is a mere delusion on his part, and has no foundation whatever. I must say, at the same time, that a great benefit has arisen from the inquiry which has been prosecuted with respect to the naval estimates, which has not only been of great use to the House, but which has been taken into consideration by the Government, and, for the most part, adopted. So much, then, for the precedent of a Committee on the estimates being an useless measure. The hon. Gentleman has adverted to the question of the Public Health Bill. Now, that is a measure which, so far from being ashamed of, I am very glad to have been enabled to introduce to Parliament; and I feel some pride in being a Member of a Ministry which has passed a measure touching upon an untrodden field of legislation, and which, in the present state of our social relations, is likely to produce the greatest benefit to this empire. The hon. Gentleman says that this Bill has been altered in this House; but I should have thought that the hon. Gentleman, who wishes the House of Commons to have an influence in carrying on the affairs of the country, could hardly desire that the Government should bring forward a measure and carry it unchanged, and that the opinions, the animadversions, and even the remarks of Members of the House of Commons, should hardly induce the Government to modify a measure which they had introduced. The hon. Gentleman next referred to the navigation laws. We had obtained the assent of the House to the principles of that change; but the discussions which had taken place on other subjects have, as the hon. Gentleman truly says, prevented our going on with that measure. When, however, the hon. Gentleman attacks us on the subject of the sugar duties, I think he might as well have mentioned what has been the history of the change in the sugar duties. In the year 1841 we proposed a measure giving a differential duty of 12*s.* per cwt. in favour of colonial as against foreign sugar. It was then thought advisable by those who represented the colonial interests to make that question a question of party, and, if possible, to overthrow the existing Government upon that question; and they succeeded in that object. They obtained a great triumph, resting as they did, their case upon the assertion that the admission of any foreign sugar whatever would be ruinous to the interests of the colonies. Several years elapsed, and opinions on free trade had gained great influence in this country and in the House. We passed another measure respecting the sugar duties, and then those who represented the interests of the sugar-producing colonies came forward and asked, as a favour, that a differential duty of 2*s.* less than we proposed in 1841 might be imposed. But again, following the course which they pursued in 1841, they made the matter a political and a party question, and they objected to the proposition of the Government—a proposition which they had not examined. This led to great debates, and these debates were continued by the noble Lord (Lord G. Bentinck) on other points, not very closely connected with the subject to which they related. The noble Lord complained of a missing despatch, which never was missing, but which was in the Colonial Office, and which was in due time laid before this House. The noble Lord found fault with us for some arithmetical errors, but we defended those errors, and we rest content with the defence. [Lord G. BENTINCK: You adopted some of the amendments.] It cannot be denied that the measure which was brought forward with regard to sugar did take up a great part of the Session. I do not find fault with the discussion which took place on that question; and the hon. Gentleman is mistaken in supposing that the Government ever did find fault with fair discussion on any subject. The hon. Gentleman proceeded to comment on the conduct of the House with regard to writs and corrupt practices. I certainly supposed that this was not a question on which it was necessary for the Government to take the lead in this House; and I recollect acting many years ago with other Gentlemen who are now Members of this House, when I used to take my own line on this question, and when I was successful in carrying Motions for inquiry, and afterwards in passing Bills for punishing corrupt practices. It is by no means, in my opinion, necessary for the Government to take up these measures. At the same time, if I were inclined to complain of any opposition which has been offered during the Session, I should be inclined to complain of the opposition which was, in the first instance, offered to the Bill of the hon. Member for Flint, and afterwards to the Bill introduced by the Government for a similar purpose. A great deal of time was taken up with those measures, and so much time was taken up with them that, when the Bill went to the House of Lords, I was informed by a very great authority —not the Lord Chief Justice—that a noble Duke, who takes a great interest in the proceedings of the other House of Parliament, was of opinion that this Bill was not one which should be proceeded with during the present Session. We, therefore, thought it more prudent to postpone the Bill to another Session, rather than press it against the adverse opinion of the House of Lords. I have made a short statement with regard to some of the measures to which the hon. Gentleman has alluded. I cannot well answer the charge which the hon. Gentleman has brought forward, when he speaks of a political plague-spot: it seemed to me that, though in three-fourths of his speech he undertook to defend the House of Commons, in the other quarter of it he made it the object of his invective. The hon. Gentleman had complained that there is no regular and organised party in this House. When, however, I sat on the other side of the House, I am far from saying that I did not belong to a party—because, I must say, that the existence of party tends, and that most materially, to the maintenance of the free spirit of our institutions. Having been a member of a party when out of office, and again in office, and having been united with men in whom I feel the greatest confidence, and for whose opinion I entertain the greatest respect—men whose abilities I esteem, and on whose constitutional knowlcge I have the greatest reliance—I do not mean to controvert the statements expressed by the hon. Gentleman with respect to the necessity of party. But if the hon. Gentleman and the noble Lord have not been able to form a party according to their views and array an organised opposition to the Government, I do not think that the Government is on that account much to blame. Considering the labours which are imposed upon us, I think that the task of forming and consolidating a party in opposition is rather too much for us to undertake. If I may be allowed any criticism, I think that the noble Lord and the hon. Gentleman have rather mistaken the grounds on which they have attempted to form their party. There are many Gentlemen in this House — strongly attached to the political constitution of this country—strongly attached to the Established Church of this country— holding opinions reverenced and hallowed by antiquity—who, undoubtedly, might, if they so thought fit, combine and form a party, which, if inconvenient to the Government, would, I am nevertheless persuaded, be useful to the House and to the country. But, if the noble Lord and the hon. Gentleman persist in saying, that the cause of free trade has been betrayed and abandoned, and that they will endeavour in some future year to revive protective duties, I think that they are straining after that which is unattainable; and that there is no prospect of their forming a consistent and a coherent party while they endeavour to attain such an object. The hon. Gentleman has done us the honour to pay a compliment to several Members of the existing Administration. I do not mean to make a return for those eulogiums, when I say that the energy, the laborious zeal, and the untiring perseverance of the noble Lord the Member for King's Lynn—the ability and eloquence which have been shown, not only upon this but upon other occasions, by the hon. Gentleman who has just addressed the House—and the acquaintance with business possessed by many other Gentlemen who sit on the Opposition side of the House—ought to form materials for a party to which a considerable portion of the country may fairly look with confidence. If they do not succeed in forming such a party, it is for them to explain the cause of the failure. I have taken the liberty of giving them a hint, and that I think is as much as I can be expected to do. With regard to the whole of this Session, I think there have been several circumstances which will account for the great delay which has occurred in the transaction of public business. Some of these relate to the issue of new writs, and to matters which belong to the first Session of a new Parliament. Some of them, therefore, we may expect to be corrected in a future Session. I think, however, that it will be worth while for Members of this House to consider whether, while we preserve these valuable rules of debates, it would not be desirable for some Members to refrain from giving us so much of their opinions, and so frequently addressing the House at present. It would be invidious on my part were I to point out any hon. Members who might be considered obnoxious to this observation; when, however, the hon. Member says that he comes here to defend the House of Commons, I really must say, that the House of Commons is not the defending, but the complaining party. The House of Commons is the plaintiff in the cause; at least 49-50ths of the House complain of the other fraction of the House, on account of their being the cause of the delay which occurs in the transaction of public business. I am quite certain, that if the opinion of the majority of the House could be consulted, they would, on certain occasions, say, "Here is a speech which might well be spared; we have heard it five or six times before, and therefore we do not feel it absolutely necessary that we should hear it again;" but on the subject of the whole of the Session I must say, that the measures which have been passed form no insignificant proportion of the Bills which have been introduced by the Government. Out of 125 Bills which have been introduced by the Government during the present Session, 105 have been passed; and it will be in the recollection of the House, that at the beginning of the Session, we had only two days a week, or eight days a month, allotted for the purpose of proposing Bills, and at the same time we had the estimates and financial plans of the year to submit to Parliament. I do maintain, above all, that, as I have already stated in the commencement of my address to the House, with sedition in England, incipient rebellion in Ireland, and a convulsion in Europe, the labour of administration is the chief business to which we ought to devote our attention. There have been moments when every one must have felt that a slight indiscretion might have provoked foreign nations—there have been moments when a slight want of watchfulness or care might have given an inconsiderable number of miscreants an opportunity of involving the country in confusion. Wishing to preserve the tranquillity of Europe—valuing peace above all price —and thinking that the war of 1793 was unnecessary for the purpose for which it was set on foot and maintained, we are prepared to devote our best energies, and our constant endeavours, to the maintenance of amicable relations with foreign countries. Valuing, as I do, our institutions, and believing that they are the best adapted of any which ever were framed for preserving the liberty of the community, I trust that whoever may succeed us in the task of future legislation will have to defend, and not to restore, the constitution of this country.

Mr. HUME regretted the observations of the hon. Member for Buckinghamshire as to party. He believed that party had been the bane of the country; measures were carried for political aggrandisement without regard to administration of affairs, and it was in that manner that so much of our national debt had been incurred. He would acknowledge that during the time he had been in that House, if he had observed one thing more satisfactory than another, it had been the break up of that aristocratic party which had hitherto ruled the country, and prevented beneficial measures being carried; he, therefore, must protest against the hope which the hon. Gentleman had expressed of reviving that party.

Mr. OSBORNE said, that on the one side of the question everything had been said by the hon. Member for Buckinghamshire, and on the other by the noble Lord, and that debate would close like many modern duels. Both parties seemed satisfied; but there was another party whom neither the noble Lord nor his hon. Friend represented, and however able the speech of his hon. Friend, or however witty the speech of the noble Lord as to the measures of the Government, that party—namely, the people—would look with indifference on the attack of his hon. Friend, or the defence of the noble Lord. They had heard something of the fish dinner of the Government, and he really thought the House required some defence, because the noble Lord had said that owing to the tedious speeches of hon. Members the public business had been impeded; but it would have been much more apposite if his hon. Friend had defended the two hon. Members for Stafford and Youghal instead of the House of Commons. As the House was fond of statistical information, he would state that an hon. Friend of his had calculated the speeches of those hon. Members, and they amounted to five weeks ordinary debates of the closest printing—speeches, too, not from metropolitan Members, or Gentlemen representing large constituencies, but from Members for two small boroughs, the reputation of one of which was certainly not the most brilliant. But with reference to the fish dinner. He had the pleasure of dining at Greenwich a few days ago, and had some conversation with the waiter. He asked the waiter how the dinner of the Ministers went off. "Oh! Sir," said he, "they looked quite like a family party, but they were more moderate than the last Ministers." He agreed with the waiter—and he thought the country would agree with him too—the Ministers were like a family party, and were moderate men. He would refer to one of their measures, the Sugar Bill. Was there ever a greater failure than that measure of the great economist of the Government? With reference, however, to another measure—that of the Corrupt Practices at Elections Bill—he must say that his hon. Friend was too apt to presume on the ignorance of the House. In order to make a joke against the present Attorney General, his hon. Friend stated that the Bill was thrown out in the other House on the Motion of Lord Denman, who was Attorney General at the time of the Reform Bill; but his hon. Friend was incorrect in his facts, for Sir T. Denman was Solicitor General and not Attorney General at the time to which his hon. Friend alluded. Upon another point he would observe that his hon. Friend the Member for Montrose had, in his opinion, been guilty this Session of a great abrogation of his privileges. Formerly, every individual grievance could be discussed on the Motion for reading the order of the day; but at eleven o'clock at night his hon. Friend had moved and the House had resolved, that no Motion for reading the orders of the day should be necessary; so that one opportunity of discussing such grievances was lost to the people. As to the four budgets to which his hon. Friend had referred, he himself believed that the long odds were that they should even yet have a fifth. Upon the sanitary measure he would only say that, if the Government were sincere in their desire to secure the health of the public, why did they not take off the tax on soap, and the window duty? He regretted, however, that his hon. Friend at the end of his brilliant speech had thought it necessary to astonish the natives of his party, by rubbing up the old Vauxhall transparency of traditionary influences; it went to ignore the existence of the people. What was it that prevented such men as Pitt, Chatham, and Walpole, from bringing in good measures, but the opposition of those Gentlemen who kept the traditionary influences of the country? He regretted also that in this debate the state of Ireland had been passed over. The noble Lord was about to visit that country. He trusted that the visit would not be of the usual character—a trumpet dinner at the Castle in full uniform, and a return home knowing all about Ireland. If the noble Lord went merely to pay such a visit, or consult with the distinguished individual at the head of affairs there, he might have as much information by post. As to the coercive measures they had passed for Ireland, they might have taken credit for them if they had passed measures of another kind. He would not, however, believe that the Protestant feelings of this country were represented by the fierce bigotry of those who had in that House pretended to represent them. The Protestant party must give up for ever the idea that the Roman Catholics had not a good right to self-government; and he hoped the noble Lord would, on going into that country, give effect to those long-cherished plans of which they had heard so much, but had seen so little. Ireland was the difficulty of the late Government; but tenfold was it so of the present. They might take credit for their coercive measures; but the time would arrive when those clouds which were spoken of by a late Minister might appear on the horizon, and this temporary panic—for he could not dignify the late movement in Ireland by the name of insurrection—and the miserable movement of the Chartists here: he did not refer to the hon. Member for Nottingham (Mr. O'Connor), who, he believed, was the only red republican in the House, but to those miserable carpenters and others who were out of work—would result in a reaction that would require measures of a different kind from the suspension of the Habeas Corpus Act, and all the vulgar precedents in Dowing-street for governing the people.

Mr. HUDSON complained of the Chancellor of the Exchequer, after he had, in June, stated that he should content himself with deficiency bills, now coming forward and deranging the commerce and money market of the country by announcing his determination to take another course. He would take that opportunity of observing, that notwithstanding the late weather, he believed that the wheat crops were good; in fact, in the north of England he had never seen finer.

Mr. DISRAELI wished to explain, with reference to an observation of the hon. Member for Middlesex, that on turning to the red book he found that Sir T. Denman was Attorney General at the time the Reform Bill was passed.

Order of the Day read, and subject at at end.

COPPER AND LEAD DUTIES BILL.

House in Committee.

On the Schedule being proposed,

Mr. HENLEY said, he meant to move an Amendment. As the schedule stood, a duty of 1*s*. per ton was to be levied on all copper ore imported. He would allow that duty to remain as applicable to all copper ore the produce of our own colonies; but he would propose a higher rate of duties on ore imported from foreign countries. The same question was involved here as in the sugar duties, with reference to the encouragement given to slavery; and he contended that copper ore from Australia, considering the great length of the voyage and other circumstances, could not be imported with the same advantage as ores produced in Cuba and Chili, if the duties were similar in each case. His Amendment was, that while the duty per ton on all copper or copper ore imported from our colonies should be 1*s*., the duty per ton on copper or copper ore imported from foreign countries should be one guinea.

The CHANCELLOR of the EXCHEQUER admitted, that the hon. Gentleman had very fairly raised the question; but the point was one which had been already settled by the House; for it had been decided that there should be no distinction in the duty imposed on the copper or copper ore imported, whether from the colonies or from foreign countries. He had always expressed his opinion that not only the consumers but the producers in this country were benefited by the introduction of foreign ore, as there was a great advantage derived from mixing the two ores together. There was, however, another view of the question. Was it for the advantage of this country that the copper which met us in the way of competition on the Continent should be smelted in foreign countries rather than in our own? Yet that would be the effect of preventing the importation of foreign ores, as proposed by the hon. Gentleman. The export of copper had largely increased. In the four years from 1838 to 1841 the unwrought copper exported amounted to 33,000 tons; and in the four years from 1843 to 1846 to 34,000 tons, showing an increase of 1,000 tons. In the four years ending 1841, the quantity of wrought copper exported amounted to 24,000 tons, and in the subsequent period to 35,000 tons; showing an increase of 11,000 tons on the last four years. The home manufacture of copper goods had derived considerable benefit, therefore, from the mixture of foreign ore with the copper of this country; and it was equally for the benefit of the British miner, smelter, manufacturer, and artisan, that foreign ore should be introduced at a low duty.

Mr. NEWDEGATE was well aware that many of his constituents in Birmingham had suffered like others in various branches of trade; but in the copper trade their prosperity had lasted longer, risen higher, and been better secured, than that of most of the interests which had been exposed to the free-trade system. England produced more than one-half the fine copper of the world. It was hard to suppose that the course taken by this country would affect the conduct of foreign countries in this matter; but though immaterial to others, the differential duty was an object to the British producer. For the sake of the Australian colonies, also, he hoped the proposition of the hon. Member for Oxfordshire would be adopted.

Mr. WYLD wished to call the attention of the House to the fact that this was the first occasion since the passing of the Slave Emancipation Act on which they had seen a liberal Government putting the miners of Cornwall in competition with the slaves of Cuba. If the principle of putting slave labour in competition with the free labour of Her Majesty's subjects were to be adopted, a new era would commence, a new order of things would be introduced which the whole mass of the people of England, whatever might be their opinion in favour of free trade, would deprecate.

Mr. SPOONER thought, if British manufacturers were exposed to the competition of foreign countries, they ought to be enabled to get the raw material of their manufacture at as cheap a rate as possible. The case of copper produced by slave labour was exceptional. But he recognised only two exceptions to the principle of free trade, namely, in cases involving slave labour, and in the case involving the national defences, namely, the navigation laws. He, therefore, could not support the Motion of the hon. Member for Oxfordshire, unless it were limited to copper, the produce of slave labour.

Mr. HENRY DRUMMOND understood the right hon. Gentleman the Chancellor of the Exchequer to argue that the introduction of foreign copper would be an advantage to the British smelter. If the introduction of foreign wool were taken as a precedent, the illustration was an unfortunate one; for the exports of wool had on the whole diminished, while the imports had increased.

Mr. MUNTZ thought, the proposition of the hon. Member for Oxfordshire adverse to the interests of his constituents, as it would raise the price of the raw material. The House having determined to carry out the principle of free trade, he, for one, was desirous that it should not be carried out partially. He thought, that when a principle was once adopted, it ought to be fully carried out; and if it should be found not to work well, then let them endeavour to find out why. He would not object to the principle of protection, provided it was extended equally to all classes and to all interests; but in the present instance it was partial, and consequently unjust, and therefore he should oppose it.

Colonel DUNNE said, that there were no fewer than 10,000 persons employed in the mines in Ireland, and about 50,000 persons in all dependent upon these mines. These parties were under the apprehension that, if the free importation of copper ore were allowed, their interests would be seriously injured. He therefore supported the Amendment.

Mr. ROBINSON confessed he thought there was a good deal of fairness in what had been said by the hon. Member for Birmingham, that as he was in favour of the principle of free trade, he wished it to be applied generally, not partially. For his part, however, he (Mr. Robinson) was disposed to agree rather with the hon. Member for North Warwickshire, that, as he considered the principle of free trade a bad principle, he would not be a party to carrying it further than he could help. He would therefore on this, and on all other occasions, enter his protest against it. The error of the free-traders, he thought, was in attaching an undue importance to the consumers, as contradistinguished from the producers of the country. Now, in his opinion, if cheapness was produced at the expense of the producer, the effect would ultimately be to place the consumer, notwithstanding the cheapness, in a worse position than before. That was his reason for supporting the principle of protection.

Lord G. BENTINCK said, that the Chancellor of the Exchequer had used a singular argument, the long and the short of which was, that the greater the supply of copper ore, the higher would be the price of the article produced in this country. [The Chancellor of the Exchequer: No!] What, then, was the meaning of his argument when he said that it would be for the good of the copper producers in Cornwall that copper should be imported from Chili and Cuba? There was the strongest reason to believe that the price of the produce of the Cornwall miners would be considerably reduced by the measure of the right hon. Gentleman. The House might know very well what its effect would be, because, by anticipation, the price of Cornish copper had fallen 11 per cent since January last. The noble Lord the First Minister of the Crown had boasted that the Government had succeeded in suppressing sedition, quelling an incipient rebellion, and maintaining the ancient institutions of the country in the midst of European convulsion. He (Lord G. Bentinck) was very much afraid that if there was any truth in the doctrine of the Chancellor of the Exchequer, that disaffection and discontent were very apt to go along with want of employment, the boast of the noble Lord could not be long maintained if they passed a measure depriving the miners of Cornwall of their employment, and, consequently, of their means of subsistence. He held in his hand a letter, dated St. Austel, Saturday, the 26th inst., from a proprietor in Cornwall who cultivated a considerable portion of his own estate, in which he said—

> " Are the Government mad ? Will they throw this unfortunate county into a state of open insurrection by their acts ? You know the people of this district well ; you know their loyalty, their intelligence, their patient endurance of severe labour, their extreme temperance, their natural contentedness under circumstances of even more than ordinary suffering ; but you know also that, with all their industry, their loyal feeling, their high order and intelligence as labourers, in consequence of the necessary requirements for the effective prosecution of their labours, there is mixed up a determination of character which suffering will call into action, and which it will be dangerous to test or tamper with beyond a given point."

The writer proceeded to notice the gloomy prospect of that county for the coming winter, if Her Majesty's Government persevered with this measure. He (Lord G. Bentinck) hoped, however, that the Amendment proposed by the hon. Member for Oxfordshire would be adopted, and the threatened evils so far averted.

The Committee divided on the question that the words proposed by Mr. Henley be inserted in the table :—Ayes 19; Noes 43 : Majority 24.

List of the AYES.

Anstey, T. C.
Bentinck, Lord G.
Blackstone, W. S.
Drummond, H.
Dunne, F. P.
Hamilton, G. A.
Herbert, H. A.
Hood, Sir A.
Keogh, W.
Knox, Col.
Lacy, H. C.
Lowther, hon. Col.
Newdegate, C. N.
Robinson, G. R.
Sidney, Ald.
Vivian, J. E.
Vyse, R. H. R. H.
Willoughby, Sir H.
Wodehouse, E.

TELLERS.

Henley, J. W.
Wyld, J.

List of the NOES.

Adair, R. A. S.
Anderson, A.
Armstrong, Sir A.
Bagshaw, J.
Bellew, R. M.
Bowring, Dr.
Brotherton, J.
Buller, C.
Campbell, hon. W. F.
Cobden, R.
Duncan, G.
Ebrington, Visct.
Ewart, W.
Hawes, B.
Hay, Lord J.
Hayter, W. G.
Henry, A.
Hobhouse, rt. hon. Sir J.
Kildare, Marq. of
Lascelles, hon. W. S.
Matheson, Col.
Monsell, W.
Morpeth, Visct.
Morris, D.
Muntz, G. F.
O'Connell, M. J.
Parker, J.
Pinney, W.
Rich, H.
Romilly, Sir J.
Scrope, G. P.
Sheil, rt. hon. R. L.
Somerville, rt. hn. Sir W.
Spooner, R.
Talfourd, Serj.
Tancred, H. W.
Tenison, E. K.
Thompson, Col.
Tufnell, H.
Ward, H. G.
Watkins, Col.
Wilson, M.
Wood, rt. hon. Sir C.

TELLERS.

Hill, Lord M.
Craig, W. G.

Schedule agreed to.

House resumed.

House adjourned at half-past Nine o'clock.

HOUSE OF LORDS,

Thursday, August 31, 1848.

MINUTES.] *Took the Oaths.*—The Lord Chaworth.

PUBLIC BILLS.—1^{a} Slave Trade (Muscat); Exchequer Bills; Consolidated Fund (Appropriation); West India Colonies and Mauritius; Savings Banks (Ireland).

2^{a} Post Horses Licenses, &c.; Drainage Certificates; Lock-up Houses; Spirits (Dealers in); British Spirits Warehousing; Distilling from Sugar; Postage on Newspapers (Channel Islands); Slave Trade (Equator).

Reported.—Royal Military Asylum; Local Acts; Millbank Prison; Battersea Park, &c.

3^{o} and passed:—Sugar Duties; Sheep and Cattle Importation Prohibition; Sheep and Cattle Contagious Disorders Prevention; Controverted Elections; Transfer of Landed Property (Ireland); Fever (Ireland); Dublin Police; Commons Inclosure Act Amendment; Nuisances and Contagious Diseases; Labouring Poor (Ireland).

Received the Royal Assent.—Public Health; Ecclesiastical Jurisdiction; Churches; Parliamentary Electors; Money Order Department (Post Office); Criminal Law Administration Amendment; Boroughs Incorporation; Steam Navigation; Bankrupts' Release; Loan Societies; Poor Law Union District Schools; Parochial Debt and Audit; Payment of Debts out of Real Estates; Turnpike Acts Continuance; Militia Pay; Militia Ballots Suspension; Out Pensioners; Proclamations on Fines (Court of Common Pleas); Petty Bag, &c. Office (Court of Chancery); Insolvent Debtors Court; Stock in Trade Exemption; Assessionable Manors Commissioners (Duchies of Cornwall and Lancaster); Highway Rates; Unlawful Oaths Acts (Ireland) (Continuance and Amendment); Ecclesiastical Patronage Suits Compromise (Ireland); Tithe Rent Charge, &c. (No. 2) (Ireland); Constabulary Force (Ireland); Corn Markets (Ireland); Fisheries (Ireland); Trustees Relief (Ireland); Turnpike Roads (Ireland); Court of Justiciary (Scotland); Registers of Sasines (Scotland).

PETITIONS PRESENTED. From the Clones Union, for Inquiry into the Poor Law (Ireland).—From Agents for West India Legislative Colonies, for an Alteration in the existing Scale of Discriminative Duties on Sugar.—From the Acting Committee of West India Planters, for the Maintenance of Establishments for Religious and Educational Instruction.

AGRICULTURE (IRELAND).

The MARQUESS of LANSDOWNE laid on the table a return, in continuation of the return which he had presented at an earlier period of the Session, giving an account of the state of agricultural produce in Ireland. It was one of the most important and, at the same time, one of the most satisfactory returns that had ever been laid before Parliament. The return showed the amount of agricultural stock arranged in baronies. Their Lordships, therefore, would be enabled at a glance to see the amount of stock in any district in Ireland. There was also annexed an account of the proportion of large and small holdings in each barony. He need not say how important such a document would be in all discussions relating to Ireland—as the return gave most ample details of the capital and stock employed in agricultural pursuits. He could not lay this return on the table without doing justice to the unwearied labours and assiduity of Major Larcom, who had prepared this document. He might also state, and he was desired to do this by his noble Friend the Lord Lieutenant of Ireland, that this return could not have been compiled by Major Larcom if he had not been assisted by one of the most valuable bodies of men that had ever been organised in any country—he meant the police in Ireland. Not long ago it was his duty to call their Lordships' attention to the gallantry and activity, vigilance and industry, of that valuable body of men at a time—at a crisis when the public safety depended so much on their exertions. It was, therefore, peculiarly grateful to him to call their Lordships' attention to their services in another way, and to state to their Lordships, that not only was the Irish police the most admirably disciplined body of persons that ever furnished their services to any country—they had not only successfully put down insurrection and maintained public order, but at the same time had exhibited a degree of intelligence which, in collecting this information, would be highly honourable to any class of society. He should merely add that this document furnished much valuable information as to the physical and social condition of Ireland.

CEYLON.

Lord BEAUMONT said, that he had lately heard from Ceylon that three new taxes had been imposed there—namely, a poll tax of 3*s*.. a tax on guns of 2*s*. 6*d*. each, besides 6*d*. for the certificate, and 1*s*. on dogs. Now, it was well known that the people of Ceylon were obliged to keep dogs to protect them from the wild beasts, and he knew that the people were not in a position to pay these large taxes. The consequence of the imposition of these taxes had been great disturbances; and he wished therefore to ask whether the noble Earl the Secretary for the Colonies had any objection to lay on the table the ordinances by which the taxes had been imposed?

Earl GREY said, the information of the noble Earl was extremely inaccurate. It was perfectly true that new taxes had been imposed, but it was to replace very large ones that had been removed. No serious disturbances had taken place, as the noble Lord had stated. He (Earl Grey) had no objection to lay the papers on the table.

House adjourned.

HOUSE OF COMMONS,

Thursday, August 31, 1848.

Minutes.] Public Bills.—1° Poor Law Charges Distribution.

Reported.—Copper and Lead Duties; Poor Law Auditors Proceedings Restriction.

3° and passed:—Exchequer Bills; Consolidated Fund (Appropriation); West India Colonies and Mauritius; Savings Banks.

Petitions Presented. By Mr. George Hamilton, from the Protestant Inhabitants of the Parish of Kilcluney, for Encouragement to Schools in Connexion with the Church Education Society (Ireland).—By Mr. Cornewall Lewis, from William Kingsley, M.D., of the Royal College of Surgeons in Ireland, in favour of Measures for the Prevention of Fever (Ireland).

RAJAH OF SATTARA.

Mr. GEORGE THOMPSON: Sir, in rising to address the House on the Motion of which I have given notice, it is my intention to be as brief as possible, and to avoid, if I can, giving occasion for controversy or debate. In renewing, at this late period, the discussion of the Sattara question, I yield to a sense of imperative duty, conceiving the subject eminently entitled to the consideration of the Government, and of this assembly, bound as that Government and this House are, to watch over the exercise of the power which has been entrusted to the hands of a chartered company to govern a hundred millions of the subjects of Her Majesty. If I may be permitted to refer to the past debates in this House, I will do so to observe, that in my opinion this question has never yet been fairly dealt with. It has always been capable of solution, by a reference of the papers in the case, to the calm and judicial investigation of an impartial Committee, aided in their labours by the evidence of persons in this country, who have from time to time been concerned in the proceedings.

Such a tribunal would have found no difficulty in determining every point on which there has been a difference of opinion; nor any difficulty in reporting to the House the course which justice and good faith require should be taken. Such an investigation would have been of the highest importance, not only as tending to the just settlement of this particular question, but as contributing to the knowledge, so much needed, of the manner in which our vast possessions in India are ruled, and the treaties which have been concluded with native States are observed. Since this question was first brought forward by my hon. Friend the Member for Montrose until the present time, the only request ever preferred has been, that the subject should be taken out of the arena of party conflict in this House, and be submitted to a Committee, to be decided according to the nature and value of the evidence produced. As far as the character of the late Rajah is concerned, and the fate of his family and subjects is affected by the opinions entertained of his guilt, I am prepared to demonstrate his entire and absolute innocence, by the exposure of the falsehood and worthlessness of every particle of the evidence collected to criminate him. The assertion, that "every opportunity was afforded to the Rajah of defending himself from the charges brought against him," is contradicted most flatly by the official documents which have been laid upon the table of this House. In the case of the first charge, the Rajah heard the depositions of two of the witnesses read to him in the Hindustanee language, but never was permitted to see a copy of the depositions in the Mahratta, and consequently never had the slightest chance afforded him of rebutting the testimony given against him. This was in 1836. Of the other charges he never heard a word until the 23rd of August, 1839, when he was called upon to sign the paper submitted to him by Sir James Carnac, the Governor of Bombay, and for refusing to do so, was dethroned eleven days afterwards. Now, Sir, if the friends of the late Rajah in this country have been able by an examination of the *ex parte* evidence, to unravel every part of the conspiracy against his Highness, and to prove the charges against him to be utterly false, how much more would the accused himself have been able most triumphantly to vindicate his character and conduct, if there had been an observance of the simplest rules of justice, by placing the evidence taken against him in his hands. Sir, a memorial sent by the late Rajah to Lord Hardinge, the Governor General in 1844, and for four years kept back by the Indian authorities, has been described as a "preposterous humbug," because it was drawn up by a gentleman in this country, and sent to his Highness at Benares. For the truth of the contents of that document (which has at last been brought to light and laid before the House), I hold myself individually responsible. Sir, it was not until 1843 that the mass of secret papers in this case were ordered to be printed. It was not until the spring of 1844 that they were published, and they could only then be of service to the Rajah, by being examined by a person who could read them in the English, and was competent to analyse their contents. I devoted myself to the study of those papers, and drew up such a statement of the facts of the case as I thought would, if placed in the hands of his Lordship the Governor General, convince him that justice had not been done to the Rajah of Sattara. His Highness approved of my statement, and sent it through the hands of the official agent to the Governor General. That document has been denounced as "a humbug;" but, Sir, it has never been answered. It has been denounced as a "humbug;" but no single fact which it sets forth has been questioned. It has been denounced as "a humbug;" but by those who dare not meet me either here or elsewhere to debate its accuracy. I challenge the whole of the Ministerial bench to show that there is a statement in it which is contrary to truth. It is to this document that the agent of the Governor General (Major Carpenter) refers, in the following extract, from a despatch in the Secret Department, addressed to the Governor General:—

> "When the Rajah was consigned to my charge, early in 1840, I considered it necessary, for the efficient discharge of my duties, to make myself fully acquainted with the causes of his dethronement, his general reputation for intrigue, and other circumstances connected with his character and conduct, to enable me to form a just estimate of the man with whom I had to deal, and to guard against the consequences which might arise from any laxity of surveillance on my part. To this end I carefully studied the whole of the voluminous documents connected with his case, and the result was, a belief in his innocence; and this belief has been confirmed, beyond a doubt, by subsequent disclosures, and by his pledging himself to prove it, if permitted to do so, in his letter to Sir Henry Hardinge, of the 12th December, 1844,

forwarded through me, and which pledge I am fully persuaded he is able to redeem."

Had the prayer of that memorial been granted, I believe the Rajah would have been alive at this time, and sitting upon the throne of Sattara. But, Sir, the deposal of the Rajah was not the only act of injustice which was done. He was also stripped of his private property, and this brings me to a part of the subject connected with the present circumstances of the surviving family. The Rajah, though denied the opportunity of proving his innocence, was called upon to sign a paper admitting his guilt. It has been stated, that all his Highness was required to do was to renew the Treaty of 1819. This assertion is entirely at variance with the official papers. The articles submitted were perfectly new. The hon. Baronet shakes his head. Well, I will quote from an hon. Director, Mr. Shepherd, who has in his minute of dissent truly observed, that—

> "The preamble of the conditions which his Highness was called upon to sign entangled him in an admission of guilt; it also involved the Government in the glaring inconsistency of propounding a principle, which required the strongest proofs of the Rajah's unworthiness to reign, as a necessary condition on which he was to continue on the guddee. Who will deny that his rejection of the proposal furnishes presumptive evidence of his innocence, and raises him more in the estimation of the world, than if he had ignominiously complied for the sake of retaining his sovereignty?"

This rejection of the article and preambles submitted by Sir James Carnac, led to the determination on the part of the Bombay Government to dethrone the Rajah, and accordingly, orders to that effect were sent to the Resident on the 30th of August, 1839. These instructions were from the pen of the Governor, and bore his signature. I entreat the attention of the House to the eighth paragraph of this letter :—

> "8. You will be careful to provide, in the most effectual manner, for the personal comfort and convenience of the Rajah and his family, and to require the Sattara Government to furnish everything that may be necessary for their accommodation. He is, in fact, to be regarded and treated as an object of sympathy, and not of punishment. You will inform him that he will be permitted to reside within the honourable Company's territories, at such place as may be selected by the right honourable the Governor General of India, and that an annual allowance will be assigned from the Sattara revenues for the support and respectability of himself, and those members of his family who may choose to accompany him. Further, that all property belonging to him *bonâ fide* private, and not appertaining to the State, will, on his peaceable submission, not be interfered with."

In this paragraph two things are distinctly and solemnly guaranteed: firstly, an annual allowance for the support of the Rajah and his family; and, secondly, the retention of all property not appertaining to the State. The condition on which the second pledge was given was strictly observed by the Rajah. Not only did the Rajah not offer any resistance, but he adopted the most effectual means of preventing any disturbance or conflict. For a time it appeared to be the intention of the Government to redeem the pledge respecting the private property, for the Rajah, while encamped a short distance from Sattara, received three official notes from the Resident, Colonel Ovans, in conformity with that pledge. I will read a brief extract from one of these notes, which is dated the 13th of September:—

> "With reference to your Highness's private property, I beg to observe, that that will be at your own disposal, as distinguished from the public property of the State—namely, jewellery, robes, dresses, &c., money, furniture, plate, and other necessaries which your Highness may require. On your Highness intimating the same, I will order the articles to be sent to you."

In order that no doubt may exist respecting the authenticity of these documents, I will quote an extract from a despatch written by Major Carpenter at Benares to Sir T. Maddock, the Secretary to the Supreme Government, November 15, 1840. Major Carpenter says—

> "Par. 8. The ex-Rajah has in his possession three letters, signed by Colonel Ovans, the Resident at Sattara, and dated the 5th, 6th, and 13th of September, 1839, respectively, to the effect that his private property would be surrendered to him; and suggesting that lists of such portions thereof as he wished to take away, as well as of those articles he desired to leave in his palace, might be furnished, that which properly belonged to the State being retained."

Major Carpenter then adds, in the next paragraph—

> "9. I have carefully examined the documents referred to in the preceding paragraph, and therefore believe the statements it (viz., a letter from the ex-Rajah to the Resident, remonstrating against the claims of Appa Sahib to his private property), contains to be substantially correct; and if it be the pleasure of the right hon. the Governor General in Council, the originals or translation thereof shall be submitted to his Lordship's further consideration."

In addition to these proofs of a solemn engagement to respect the private property of the Rajah, I may be permitted to quote from the minute of Sir James Carnac, forwarded to the Governor General and the Court of Directors, dated the 4th of September, detailing his proceedings and intentions. In this he distinctly refers to the pledge given, that the Rajah should retain his private property, in addition to receiving an allowance for his permanent support. The Governor says—

> "32. My instructions to the Resident enjoin, that every effort should be made to obviate collision, but that should such unhappily occur, that every precaution should be taken to prevent injury to the well-disposed, and to guard against irregularities on the part of our troops. They likewise enjoin that every attention be paid to the personal comfort and convenience of the Rajah and his family, and secure to him his private property and a suitable maintenance for his future support. The question of his future disposal is left for consideration hereafter. I have every confidence in Lieutenant Colonel Ovans' judgment and discretion, that he will secure that these instructions are scrupulously attended to."

I am satisfied that no Member of this House, having these official documents before him, would conceive it possible that the Government of Bombay would afterwards confiscate the whole of the Rajah's property, and leave him without a single shilling beyond the allowance fixed for his maintenance. Yet, in a despatch to the Supreme Government, dated the 25th of November (eighty-six days after the pledge of Sir James Carnac), we find the determination expressed by the Council of Bombay, to consider the whole of the private property of the ex-Rajah forfeited, and the pension as satisfaction in full of all demands. The fact that the Rajah of Sattara was possessed of a very large amount of private property is not disputed. The Resident, Colonel Ovans, while under the impression that the pledge of the British Government would be redeemed, described in his despatches the manner in which the ex-Rajah had become possessed of his large wealth, namely, by appropriating a stated sum for the private expenses of himself and his family, and then laying aside the balance, which he either allowed to accumulate, or expended in jewels. Every previous Resident at the Rajah's Court is able to confirm the truth of this statement, and to prove that so scrupulously and accurately were the public accounts separated from the private, and the property belonging to the State distinguished from that which was personal, that no difficulty at any time existed in the way of accounting to the Rajah for that which was *bonâ fide* his own. The following is the view taken of this transaction by a member of the Court of Directors, Mr. Shepherd:—

> "There can be no question but that the treasure and jewels found in the palace were the fruits of the economical management of the Rajah's resources. Unlike the generality of native princes, he had governed his people with prudence and moderation, and restrained his own expenses within the limits of his income. The Bombay Government decided, however, that the property should be made over to the present Rajah, and that the ex-Rajah be informed that the pension is assigned to himself and his family in satisfaction of all demands whatever on the Government of Sattara. Such is likely to be the climax of the unhappy Rajah's fate. A prince who had been for many years, and up to a very late period, the deserving object of the Court's and the Government's highest favour and admiration, stripped of his raj and his property, he is now the degraded pensioner of that brother who assisted in his overthrow. To me, it appears that the confiscation and transfer of his property to the present Rajah is an additional penalty inflicted on this unfortunate prince, not warranted by any considerations whatever. Indeed, in the absence of a professional opinion, I must contend that the Act is illegal; the regulations of our Government guaranteeing to all our subjects the free possession of the property held by them until they shall be deprived of it by the judgment of a court of competent jurisdiction. If I lamented the extreme measure of his deposal, more deeply do I lament this aggravated severity. It is the great prerogative of the home authorities to hold the balance of justice between our local governments and the natives of India. Removed far from the scene of action, they can review, with dispassionate calmness, every turn and movement of the actors; and whilst they are bound to afford every proper support to their own servants, it is equally their sacred duty to protect their native subjects, and to withhold their sanction from acts of oppression and injustice."

Mr. Tucker, Sir C. Forbes, Mr. Cotton, General Robertson, Colonel Sykes — all took the same view of that question. Sir, on the arrival of the Rajah at his place of exile, he called upon the Governor-General's agent to take an inventory of the articles he had brought with him, which, with the exception of the personal ornaments of the female members of his family, were of very inconsiderable value; he also handed to the same agent a schedule specifying the property left behind him at Sattara; and I have no doubt that an inquiry would have established the perfect accuracy of the Rajah's statement. According to that schedule, and to all the other information which has reached me, the Rajah was deprived of property, *bona fide* private, of the value of not less than 300,000*l.* sterling. What then, Sir, becomes of the boasts which have been uttered in this House of the liberality of the East India Company? From the time the Rajah was dethroned until his death, he received (during a period of eight years) about 100,000*l.* in all, for the support of himself, his family, and 1,200 persons of all ranks who followed him into banishment, and were entirely dependent upon him—or about one-third the amount of his private property, the savings of twenty years, and about one-fifteenth or sixteenth part of the revenues of the territory from which he had been driven. The liberality of the Company has cost them nothing, for every farthing has been taken from the treasury of Sattara—while they have secured to themselves, by the second treaty, the reversion of Jagheers, yielding 50,000*l.* a year. Insinuations have been thrown out calculated to lead uninformed persons to suppose that the late Rajah had it in his power to expend lavish sums upon agitation in this country. It is true, that out of his allowance he found the means of supporting a native gentleman as his representative in this country; but it is not true that the Rajah, since his dethronement, has had it in his power, even if he had felt the wish, to spend any large sum for the advancement of his cause in England. The efforts which have been made in his behalf have been of the most spontaneous and disinterested character. No one in this assembly will imagine that Sir Gore Ouseley, Sir Charles Forbes, Sir Harford Jones Brydges, Alderman Salomons, General Briggs, Mr. John Sullivan, Mr. John Poynder, Mr. Charles Norris; and East India directors like General Robertson, Mr. Tucker, Mr. Shepherd, Mr. John Forbes, Colonel Sykes, Major Oliphant, and Mr. Cotton; or gentlemen like Serjeant Storks, Serjeant Gaselee, and Mr. Lewis, were in the habit of receiving bribes from the deposed Rajah of Sattara—yet all these gentlemen, and many more, have been strenuous advocates for the reopening of this case, and for its adjudication upon just and upright principles. Let the right hon. Baronet the President of the Board of Control cite, if he can, such a list of names from amongst those who, being free from any connexion with the proceedings against the Rajah, have come forward to oppose the claims of that prince to justice. It is true that, previous to his disposal, the Rajah expended a large sum of money in his endeavours to send agents to this country to complain of a breach of treaty by the Company; but that expenditure was necessary, because the Bombay Government refused a port clearance to the ships that would otherwise have brought those agents, and the Rajah was driven to the expedient of purchasing a vessel to convey his representatives to these shores. The following extract from one of the despatches of Major Carpenter to the Government of India, will show how far the Rajah possessed the means of keeping up an agitation here, and will also throw some light upon the question of his private property:—

> "'The Rajah informs me that since his deposition he has been much distressed for want of funds, which I really believe to be the case, and I know he has not even had the means of purchasing necessary clothing for his family since their arrival in Benares, as my advances to him have been merely sufficient to subsist his family, followers, and cattle, lest I should exceed the spirit of your instructions.' [With regard to the private property Major Carpenter observes] 'I have taken pains to ascertain from what source the said property was derived, and it appears that in Captain Grant's time two treasuries were established by that officer's advice—the one private, in which the sums allotted for the support of the prince and his family were deposited; the other for the public purposes of the State, wherein there were upwards of six lacs and 40,000 rupees, at the time the Rajah was dethroned, which form no part of his claim; but he declares the whole of the money, jewels, and other property, claimed by him as private, are the savings of his privy purse, or surplus of the private treasury."

But I may be asked to show in what way these facts bear upon the present state of the case, and I will, therefore, briefly describe the condition of the Rajah's family and followers, who are now at Benares. Since the death of the Rajah, on the 13th of October last, not a shilling has been received by the Rajah's widow, or the adopted son, from the British Government. Application was made to the agent for the means of defraying the funeral expenses; and the President of the Board of Control, in answer to a question which I put to him, stated, that 50,000 rupees had been offered for that purpose, and had been refused, because not accompanied by a pledge to continue to the family the ten thousand rupees, monthly allowance, made to the late Rajah. [Sir J. C. HOBHOUSE: He would not give a receipt.] Such, I undertake to say, are not the real facts of the case. The money, I admit, was offered and declined; but not for the reason stated, but because the agent would not take a receipt in the name of the adopted son, who was the only person entitled to receive or to acknowledge the proffered sum. I am also informed that other moneys have been declined for the same reason. I can scarcely suppose the right hon. Gentleman to be so ill-informed respecting the laws and usages ot the Hindoos, as not to know that neither the Ranee nor the Minister could receive the money, except in the name and by the authority of the son; or that he can fail to be aware of the fact that the youth who has been adopted stands in precisely the same position as a son born of the body of the late Rajah. Sir, I see no reason why 800 persons should be left without the means of subsistence, because those upon whom they depend refuse to violate the immemorial and universal custom of their own country. If I have been rightly informed, the sum of 2,500 rupees, monthly, has been offered to the Rajah's widow for the maintenance of her establishment. This, if it be the case, cannot be received, except on behalf of her son, and in his name; and if it could, it would be utterly insufficient for the support of the family and their 800 dependants. But, Sir, why is this course of treatment adopted, while the Company are accountable before man and before God for the whole of the private property of which I have been speaking, and are at this moment in possession of the territory and revenues of Sattara? It may be said that the Rajah had no rights, or that, having died, his rights have died with him. But, Sir, the pledge that he should enjoy the possession of his private property, was given before his deposal—it was part and parcel of the measure decided upon—his private property was guaranteed in the very document that described him as a guilty man, and directed that he should be dethroned; and there is not a lawyer, either in this country or in India, who would dispute the Rajah's right to adopt a son as his heir to the personal property of which he died possessed, or to which he might be declared legally entitled. We ask, therefore—and we have reason, and justice, and the solemn pledge of a British Governor, and all law human and divine on our side—that the property taken from the father at the time of his deposal be accounted for to his son and heir. We ask, too, that, pending the question of succession to the raj, the living and legal representative of the late Rajah shall enjoy the stipend assigned to his father. To what purpose more just and lawful can the revenues of Sattara be applied? But we ask more, and we think we do not ask too much. We ask that the adopted son of the late Rajah be placed on the guddee, and succeed to the sovereignty of his father, according to the Treaty of 1819, by which the territory of Sattara, as an independent sovereignty, was ceded to Pertaub Sing, his "heirs and successors in perpetuity." What says one of the highest authorities on this subject, the late Chairman of the Court of Directors, Mr. Tucker?—

> "Admitting that the Rajah was guilty of an infraction of the treaty, it does not follow that it was such as to cause his blood to be attainted. If the Rajah should have no legitimate issue, it was competent to him to adopt, and his heir might be perfectly innocent, and be justly entitled to the inheritance under the treaty."

And again he says—

> "The Government of Bombay seem to anticipate that the principality may escheat at no distant period to our Government by the demise of Appa Sahib; but the principality is hereditary, and should the Rajah leave no issue or natural heirs, he may adopt, and adoption with a Hindoo is not only a right but a duty. I have the highest authority for stating, that even in the case of a fief or dependency, a legal adoption cannot be barred by the Government or lord paramount."

These opinions I know to be those of gentlemen profoundly versed in questions relating to adoption amongst the Hindoos. Let me quote one other passage, taken from the petition presented by the hon. Member for Montrose the other night, and signed by a number of respectable and influential East India proprietors. They say by their petition—

> "That the raj (kingdom) of Sattara having recently become vacant by the death of Appa Sahib, the late Rajah, they have heard with the greatest surprise and concern that the assumed guilt of the Rajah, Pertaub Sing, is advanced as a pretext against the admission of the claims of the rightful heir under the treaty of September, 1819. But they humbly pray that such member of the Rajah's family as fills the character of 'heir' in the terms and according to the true meaning of the treaty, may be recognised and admitted as his successor, and that this House will not permit the violation of that treaty, by sanctioning any act, in contravention of the rights of such 'heir,' secured and guaranteed as those rights are by the faith of the British nation."

Sir, I must now beg permission to trespass upon the attention of the House for a few moments, while I attempt to show, as I believe I shall be able to do, that the dethronement of the Rajah was a direct and flagrant violation of statute law, made and provided in such cases; and that the whole of the proceedings of the Indian authorities are null and void, when tried by that law. By the 33rd Geo. III., chap. 52. sect. 48, it is enacted—

> "That forasmuch as to pursue schemes of conquest and extension of dominion in India are measures repugnant to the wish, the honour, and the policy of this nation, it shall not be lawful, either for the Governor General of India, or for the governor of any presidency, to make or issue any order for commencing hostilities, or levying

war, or to negotiate or conclude any treaty with any Indian prince or state (except in cases of sudden emergency, or imminent danger, when it shall appear dangerous to postpone such hostilities or treaty), unless in pursuance of express orders from the Governor General in Council, or from the Secret Committee, by the authority of the Board of Control."

Had Sir James Carnac the "express orders," which by this Act he was required to possess, before he was competent to commence hostilities, or conclude a treaty? He had nothing of the kind. He was sent out expressly to assure the Rajah of the friendly feelings of the home authorities, and to treat him with the favour and respect shown to him in former years, before the conspiracy against him commenced. There may be those in this House who are ignorant of the view taken of the proceedings against the Rajah by the Supreme Government of India, after the whole of the evidence had been laid before them, and I will therefore read a brief extract from one of the last despatches on the subject, addressed from Calcutta to the Government of Bombay, and leave hon. Gentlemen to judge whether it points to the dethronement of the Rajah and the seizure and confiscation of his private property:—

> "His Lordship in Council would close the proceedings, apprising the Rajah that, although several suspicious circumstances regarding his Highness has been elicted during the progress of this inquiry, yet the British Government is unwilling, without the clearest proof of guilt, to condemn any of its allies, especially one who has been so pre-eminently the object of its favour and generosity; that further investigation is deemed inexpedient with reference to the general inconvenience it creates; and that the right hon. the Governor in Council is therefore pleased to close the inquiry, with the expression of his hope that the Rajah will so conduct himself for the future as to avoid the predicament (no less painful to the British Government than to his Highness) in which he has been recently placed."

Here, then, is the deliberate judgment of the Supreme Government, ignorant at the time, altogether, that the Resident at Sattara had in his possession the indubitable and conclusive proof that the very evidence upon which this judgment was pronounced was a mass of perjury, and that the Rajah of Sattara was an innocent as the Governor General of India of the crimes laid to his charge. After the despatch already cited, we have one addressed to the authorities at the India House, expressing the Governor General's pain at the proceedings of the Bombay Government, and stating that he had ordered those proceedings to be brought to a close. In perfect sympathy with the Government of India, we find the Court of Directors writing a despatch, dated the 22nd of January, 1839—at a time, be it remembered, when the whole of the evidence was before them, save the proofs of the Rajah's innocence, and of the plot to destroy him, which were in the secret keeping of Colonel Ovans, in which despatch, they (the Directors) say, that it is their "decided opinion that it would not only be a waste of time, but seriously detrimental to the character of their government, to carry on any further inquiry into the matter." One of two things was wanting to make the deposal of the Rajah a legal act—an express command from the home authorities, or open and declared hostility on the part of the Rajah. Sir James Carnac had no authority from home, and the Rajah had never been charged even with anything worse than a secret design to injure the British Government. The deposal of the Rajah, therefore, was in direct contravention of the imperial statutes of this realm, and a violation of the unrepealed provisions of the charter, granted in 1793. It will be equally a violation of the charter and the law of the land, should the local government in India place any other prince on the throne, or make any disposition of the Sattara territory, without the express command of the home authorities. Sir, I have before, when discussing this question, laid considerable stress, and I think properly so, upon the fact that the intercepted correspondence between the Rajah and his most confidential agents and friends, for three years previous to the dethronement, was found to contain nothing contrary to the letter or spirit of the treaty which placed the Rajah on the throne. It has been imputed, however, to the native gentleman who represents the family of the Rajah in this country, I mean Rungoo Bapojee, that when at Bombay, in 1838, he wrote certain letters to his sovereign, which contained treasonable matter. Now, Sir, I hold in my hands the correspondence extracted from the blue books which have been laid on the table, and I challenge the most skilful lawyer in this House to lay his finger on a sentence that can be made to show that a feeling of hostility towards the British Government dictated the writing of any one of these letters. They refer, it is true, in some parts, to the political events then occurring, or anticipated; but they merely convey the information which was furnished to the writer in conversation with two of the Company's officers, Mr. Baber, a magistrate, and Dr. Milne, the medical superintendent at Bombay. Yet, these are the documents, and the only ones selected out of hundreds, to prove that the late Rajah carried on a treasonable correspondence. Sir, I shall not at any great length trespass upon the attention of the House. My excuse for what I have said is, that I deemed it important to bring these facts, some of them new, under the attention of Parliament, and particularly of the right hon. Baronet, in the hope that it may receive at the hands of the Government the consideration to which I think it is fairly entitled. The present state of the affairs of Sattara affords the Indian authorities a favourable opportunity of setting at rest a question of deep interest to many beyond these walls, and to some at least who are within them. The point which I would particularly urge on their attention is that of the succession and the claims, both by consanguinity and adoption, of the young Rajah, now at Benares. Should I be told by the President of the Board of Control that there are many nice points of law involved in this question, some of which might be argued and determined against the adoption of Shahoo Maharaj, I will observe, in anticipation of such an objection, that, admitting the question to be one that might be litigated, if there existed any rivals, there is really no impedient whatever in the path of the right hon. Baronet, or of the Court of Directors, since they have only to decide in favour of the adopted son, who is undoubtedly the nearest relation to both the deceased Rajahs, in order to enable that person to ascend the guddee with the consent and approbation of all parties concerned. I earnestly hope that this subject will receive attentive and generous consideration, and that no objections will be gratuitously urged by the Government in bar of the indisputable claim, on all moral and equitable grounds, of the young prince on whose behalf I make my present appeal. A decision in favour of that individual would be one alike honourable to the Government and satisfactory to all those who have taken a view similar to my own of this question. It would heal remaining wounds, it would be regarded as some reparation of the wrongs that are complained of, and end those discussions which, unless such a decision be arrived at, are likely to go on, both here and elsewhere, until something like justice is obtained. I know I shall be reminded of the small numbers who have voted with me at the India House, in comparison with the gross number of qualified holders of East India stock. I do not deny the fact that I have almost invariably been in a minority; but the majority has been composed of the Directors voting in their own favour, of the members of the Bye-law Committee, of the relatives and friends of the parties implicated, and of those who attend and vote with the Directors, in the hope and expectation of sharing in the immense patronage which the Executive body have at their disposal. Sir, if I have been in a minority, I have only been treated as another member of that Court, Mr. John Poynder, who, though for many years a conspicuous and zealous advocate of an important religious question, has never been favoured with the support or presence of one of the hundred clerical gentlemen who are proprietors of stock. There are other and more impartial tribunals to be appealed to, and to these we must resort should we be compelled, sustained by the conviction that the truth is mighty, and must ultimately prevail. Such appeals will, I trust, be rendered unnecessary by the course shortly to be adopted by the Indian authorities. Happy shall I be to witness the final settlement of this long-debated question, and to tender my humble but sincere thanks to those who have contributed to bring it about. Grateful to the House for its attention to my observations, I shall conclude by moving—

> "That in the opinion of this House it is required, by justice and good faith, that the private property of the late Rajah of Sattara, Pertaub Sing, of which he was possessed at the time of his deposal, and which was seized in violation of the written pledge of Sir James Carnac, the Governor of Bombay, should be transferred to Shahoo Maharaj, the adopted son of the late Rajah, or compensation be made in lieu thereof."

Sir J. HOBHOUSE, referring to the numerous discussions which had taken place upon this subject, and to the impossibility of stating a single fact with which the select audience whom the hon. Member had been addressing [*there were not more than a dozen Members present*] was not painfully familiar, thought that he would stand absolved from blame if he were to abstain from making any observations on the present occasion. In order, however, that the hon. Member might not have any ground of complaint, he would, trusting that the House would bear with him, once more go over the ground which had been so often travelled before, and state the reasons which induced him to come to a conclusion respecting the Sattara grievance directly opposite to that at which the hon. Member had arrived. The right hon. Baronet detailed the facts of the case, drawing from it the same deduction as that which he formerly submitted to the consideration of the House. With respect to the private property of the ex-Rajah, the hon. Member's observations were nothing but a continuation of the debate of the 11th July. The real truth was that Pertaub Sing had no private property at all when he was elevated to the throne by Mr. Elphinstone. When he was deposed he left behind him several lacs of rupees; but the Government of India decided that this was state property, and not private property. A sum of not less than 3,000*l.* a year had been assigned to his family as a provisional allowance until a final arrangement could be made, and about 2,000*l.* a year had been settled upon his eldest daughter, who had retired with it to Benares, attended by a large number of the ex-Rajah's followers. He (Sir John Hobhouse) could assure the hon. Gentleman (Mr. Thompson) that there was no intention on the part of the Government of India to act otherwise than justly in the case. He might depend upon it, that every consideration would be given to the wants of the family. He was not now talking of the question of the succession of the Shahoo Maharaj to the throne, but respecting the wants of the family, and the hon. Gentleman might take his assurance that they should be properly attended to. With respect to the succession, he was not prepared to decide the question off-hand. There were various opinions respecting the rights of the adopted son to the throne. He admitted, with the hon. Gentleman, that the boy adopted by Pertaub Sing had been adopted according to all the Hindoo forms and customs, and was entitled to any private property belonging to the adopting father; but the right to succeed to the throne was another question altogether. The hon. Gentleman knew, also, that the brother, the reigning prince, had adopted a son on his death-bed; but the British Resident was away at the time, and as the paramount Power had not concurred in that adoption, it was not a political adoption; so that the two adoptions might be considered as on a par with each other. Whether the young man adopted by the late Rajah Appa Sahib, or the one adopted by the deposed Rajah, should succeed, was a great question, to which the Government would have to apply itself; as also whether one of these should be chosen at all, or whether it would be wise to set up any person whatever over the territory of Sattara as its future ruler —these were questions to be considered hereafter by the Government of India. As he had told the hon. Gentleman (Mr. Thompson) the other day, no opinion had yet been given by Lord Dalhousie, who in a letter received by the last mail had expressed his regret that he (Lord Dalhousie) had not yet received the necessary information from the Bombay Government, and had stated that when the expected despatches arrived from Bombay, the subject would receive immediate attention by himself and council. If he might be permitted to do so, he would take the liberty of giving the hon. Member a little advice. The hon. Member was personally acquainted with India, and no doubt felt considerable interest in its welfare and prosperity. The hon. Gentleman could not be influenced by a few grains of personal advantage. Let him then direct those abilities which he undoubtedly possessed, not to the detraction of the dead, but to the eulogium of the living. India afforded a field for the display of every virtue, and men were not found wanting when the occasion presented itself. It was only yesterday that the Government received the news of a great exploit performed by a British officer, young in years, and only a subaltern in rank, who performed it under every disadvantage, unaided, and it might be said alone, for he had not the assistance of a single fellow-countryman, or even one of his own colour. In one month, alone, and, as he had said before, quite unaided, with levies which he had raised himself only a month before, and which he had himself disciplined, under a burning sun, in countries inundated by great rivers, that young man overthrew a formidable foe, and by his own right hand and sagacious head saved, he might say, from great peril a distant part of our Indian empire. The hon. Gentleman would, he was sure, find more satisfaction in adding to the praises which would be for ever, he thought, bestowed on Lieutenant Edwardes, than in finding fault with what he considered to be the misdeeds of Colonel Ovans.

Mr. HUME cordially united with the

right hon. Baronet who had just sat down, in the eulogium which he had pronounced on the gallant and successful achievements of Lieutenant Edwardes, and deeply regretted that the existing regulations prevented that officer from receiving the honours and rewards he so eminently merited. As that officer was only a subaltern in the service, he could not even receive the title of C.B. He hoped that some alteration would be made that would enable the right hon. Baronet to do justice to the claims of that gallant officer. [Sir John Hobhouse: It is already done.] He was extremely glad to hear it. He would now briefly refer to the question before the House. He agreed in the desirableness, as a general rule, of not introducing Indian questions into that House; but when acts of oppression and cruelty were committed, and appeals for redress were rejected elsewhere, it was then right that the matter should be brought before Parliament, and the present was a case of that description. As for the numerous decisions at the India House which had been referred to them, they were merely decisions not to reopen the case, or to correct the original error—they were not decisions on the merits of the case. In fact, for the most part they had been votes of adjournment, and had no reference to the specific questions which had been debated. There was much which might be urged in excuse for those who had in the first instance come to a hasty decision upon the subject. They were utterly unacquainted with the merits of the question when they so decided. Although the right hon. Baronet had expressed his opinion of the guilt of the Rajah, he (Mr. Hume) begged to express his own honest conviction that Pertaub Sing was ruined by as foul a conspiracy as ever disgraced the annals of this empire. The right hon. Baronet had spoken of persons advocating the cause of the Rajah for hire; but he and others who had taken up that question could never be accused of any such motive; they had only taken up the cause from a conviction that the Rajah had been so ruined by conspiracy. With regard to the question of the Rajah's private property, the right hon. Baronet was altogether under a mistake. He had lately seen copies of a letter containing a list of the private property delivered to Colonel Ovans, to which private property the Rajah's heir was actually entitled. The right hon. Gentleman had said, that it was not determined which was, or was not, the private property of the late Rajah; but he had forgotten that Captain Grant Duff, the first Resident, decided the question, and set aside what might be called "the civil list" of the Rajah, which was for his own private use, and had been sanctioned by Government, and it was out of that very civil list that he had saved the lacs of rupees which had been referred to. If any prince ever deserved the thanks of the British Government it was the Rajah of Sattara; and it was unjust that his savings during his reign should be withheld from him while living, and from his family when dead. It had been said, that if the Rajah was guilty, he had no right to adopt a successor to the throne. That word "if" involved the whole question; for he contended the Rajah had never been proved guilty, since he had not been permitted to be heard in his own defence—he had never had a hearing. It had been said that this subject had been frequently before the Directors; but that body had always been judges in their own cause, and he could not forget that the truth once leaked out in a despatch sent home to Sir James Carnac, who said, that should the Rajah Appa Sahib die without issue, the territory would revert to the Company, and they would thus gain a revenue of 180,000*l.* or 200,000*l.* a year. The right hon. Gentleman had said he would, without hesitation, see justice done. He would take him at his word, and wait to see him fulfil his pledge. After repeating his anxiety to see the question fairly and equitably decided, the hon. Gentleman resumed his seat.

Sir H. WILLOUGHBY vindicated the character and motives of Sir James Carnac, who on his return to England had explained and justified his conduct. He contended that the Rajah had broken the second and fifth articles of the treaty, which, whether right or wrong, he was bound to observe. The Rajah, as a sovereign prince, could not have a formal judicial trial. The question was one of treaty, and a violation of the treaty carried with it a forfeiture of the sovereignty. With respect to the private property, he trust the Government would treat it in the most handsome and liberal manner. The Rajah, according to the statements of the hon. Mem- for the Tower Hamlets, had received during his exile 100,000*l.*, which was one-third of the private property. He agreed that it was inexpedient that Vakeels should come to this country; and he thought the gentleman who sat under the gallery (Runjoo Bapogee) had broken a pledge to return to India, when money was advanced for the purpose. He concluded by repeating the expression of his hope that the East India Company and the local government would take care that there should be a just settlement of the question of private property, and would see that those whom the Rajah had left behind him were treated in a liberal and generous manner. He would not discuss the question of the succession, but leave it to be considered hereafter if it was considered worth while to raise it.

Mr. GEORGE THOMPSON: I have but little to say in reply to the right hon. Baronet, who, I must say, has not grappled with the two main branches of the question before the House, namely, the confiscation of the private property, and the illegality of the dethronement. He has said nothing of the violation of the solemn pledge of the British Governor, nor even condescended to notice the official documents which I placed before the House to prove the engagement which was entered into, and the actual existence of the property of which the Rajah was deprived. I have now a letter before me, written by Colonel Ovans, describing his property, and the manner in which it had been accumulated, and stating that there would be no difficulty in discriminating between what was public and state property, and what was private and personal. All this property was acquired by thrifty management of that part of his revenue which the Rajah had, from the commencement of his reign, set aside for his personal expenses. If I wanted further proof, I would quote the admission of the right hon. Baronet, that a large amount of treasure was left by the Rajah, which was applied by his brother to certain purposes which he has described. In fact, there had been no defence of this act of spoliation. The existence of the property was proved by the Governor's letter and pledge, by his despatch to the supreme authorities, by the letters of Colonel Ovans, by the detailed inventory of the property which had been made out, and by the admissions of the right hon. Baronet himself. All that had been advanced went to prove the violation of as distinct a pledge as had ever been given by any British Governor in any part of the world; and unless justice was at length done, the transaction would bring indelible disgrace upon all parties concerned in it. I will put this case to the President of the India Board. Suppose the Rajah had taken advantage of the five days which intervened between the receipts of the written pledge of the Governor, and the hour of his deposal, and had employed them in bringing together all his moveable property in treasure, jewels, and other things, and had made them ready to accompany him on his departure from the capital, would not the letter of the Governor have fully authorised the Resident to consent to their removal, and would not the Rajah thus have had the benefit of the engagement which had been voluntarily given? The Rajah, however, had unlimited confidence in the word of the Governor, and the honour and good faith of the British Government, and his reward was to be deprived of everything which he had intrusted to the care of the Bombay Government. I was curious to know the views of the right hon. Baronet in reference to the opinion I ventured to express of the legal character of the act of deposal. Conversant, as he must be, with the statutes framed to regulate the affairs of India, he cannot have overlooked the Act of 1793, to which I so particularly referred, and which, according to my view, rendered it incompetent to the Indian authorities to depose the Rajah, or enter into any treaty with his brother. On this subject the Minister of the Crown has been profoundly silent, although it is one of vital importance, and has nothing to do with the guilt or innocence of the Rajah. I commend the matter to his serious consideration, both as relating to past proceedings and as bearing upon the future acts of the Government of India. I am sorry that so many irrelevant topics have been introduced into this debate, and especially that it should have been deemed necessary to revert to what I formerly said respecting Sir James Carnac. Sir, should I discover that I have been led to make any statement detrimental to the character of any living person, and above all to the memory of any one dead, upon false information, I can assure the House, there is not a person living who would be more ready than myself to offer the most ample reparation. The right hon. Gentleman will allow me to refer to the condition on which I undertook to make good my charges against certain persons, namely, that there should be a Committee before whom I might produce the witnesses required to substantiate my allegations. I have never been able to obtain such an inquiry either here or at the India House. I thank the right hon. Baronet for the counsel he has so kindly given me to-night regarding my future course in this House. I receive his advice in the spirit in which it was conveyed, and shall follow it.

Motion withdrawn.

House adjourned at half-past Six.

HOUSE OF LORDS,

Friday, September 1, 1848.

Minutes.] Public Bills.—1ª Copper and Lead Duties.

2ª Taxing Masters, Court of Chancery (Ireland); Slave Trade (Muscat); Savings Banks (Ireland); West India Colonies and Mauritius; Exchequer Bills; Consolidated Fund (Appropriation).

Reported.—Slave Trade (Equator); Postage on Newspapers (Channel Islands); Post Horses Licenses, &c.; Drainage Certificates; Lock-up Houses; Spirits (Dealers in); British Spirits Warehousing; Distilling from Sugar.

3º and passed:—Millbank Prison; Battersea Park, &c.; Royal Military Asylum; Local Acts.

Petitions Presented. From certain Lords, and Adventurers in British Copper, Lead, and Tin Mines, against the Copper and Lead Duties Bill.—From Merchants, Shipowners, and Others, of the Borough of Clifton, Dartmouth Hardness, against the Navigation Laws.

COPPER AND LEAD DUTIES BILL.

Earl GRANVILLE moved the First Reading of the Bill.

Lord REDESDALE said, that however contrary it might be to the usual practice of the House, he should move as an Amendment that the Bill be read a first time that day six months. He did so because he considered that the treatment which their Lordships had received from the other House of Parliament on the subject of this Bill was such that it became their duty to mark their sense of it in the strongest possible manner. The resolutions on which this Bill was founded were carried in Committee of Supply on the 18th of April; but the Bill, by an unnecessary delay, was not brought into the House of Commons until the 8th of May. From that time down to the 28th of August there was not a week in which it was not fixed for a second reading; and he believed it was adjourned about thirty times before it came to a second reading. It was not read a second time, therefore, until the 28th of August, and now, on the 1st of September, within two or three days of the prorogation, it made its advent into this House. Was it proper, he asked, that a Bill which in any way affected the financial circumstances of the country, should be brought up at a period when it was impossible to give it fair consideration? If they were to be treated in this manner, they would cease to be longer a deliberative assembly; and if they did not mark their sense of such treatment, their independence would be gone. He also objected to the measure itself on account of its proposing to reduce a duty, which, being but 6 per cent, could only be regarded as a revenue, and not a protective duty. In the present state of the public revenue, and with the prospect of a failure of the potato crop, and the harvest in Cornwall, it would be particularly unjust to pass a law which would have the effect of subjecting the Cornish producers of copper ores to competition with the slave-raised copper of Cuba. If there was an independent Peer in the House, he must vote against the first reading of the Bill.

The Marquess of LANSDOWNE trusted the House would not be induced by the statement of the noble Lord to dispose in this summary manner of a Bill which was intended, not to check and embarrass, but to promote the trade of the country. Did not the noble Lord know, that by the false idea of giving protection to British copper, the smelting trade of this country had been exposed for years to the severest danger—and in fact had been in a course of gradual diminution? Did the noble Lord know that the effect of the measure, which was passed with a view to protection, had caused the establishment of smelting companies in places where smelting companies never before existed? That, he could assure him, had been the case in Chili, the United States, and other parts of the world. Amongst other authorities he might quote that of our consul at Philadelphia, who stated, that in Boston, United States, a company had erected furnaces, and were engaged in smelting considerable quantities of Mexican and Cuba ores—which ores, if not for our high duties, would have been all smelted in England? The noble Lord would promote British industry by causing the ores which would have been smelted in this country to go to America and be smelted there. The consul went on to say that smelting companies had also been talked of in New York, New Jersey, and Philadelphia. Then there was the evidence upon the subject which had been given before the Committee on the Navigation Laws; yet, in the face of such evidence, he was now told that it was essential for the interest of this country to continue the duty under which the smelting trade had broken down. The question was, should the smelting trade be retained in England, or be driven to other countries; and he trusted the House would not adopt the extraordinary course recommended by the noble Lord, which was a most unheard-of proceeding, and the avowed object of which was to defeat the Bill altogether. The Bill had been passed in the other House by a large majority; and if their Lordships refused it a first reading, they would mark it not merely with discourtesy, but contempt.

Lord **REDESDALE** explained that he had no wish to treat the House of Commons with discourtesy, provided it treated this House with courtesy; but he had stated, and no answer had been given to him, that to send up to that House on the 1st of September a Bill which was brought in in the Commons as early as May was an act of discourtesy. He objected to the measure on its first reading, on account of the late period at which it had been sent up; and he must say that it constituted good ground for this House resenting the treatment which it had experienced at the hands of the House of Commons during the present Session.

Lord **MONTEAGLE**, whilst supporting the Bill, agreed with Lord Redesdale in his censure of the practice that had grown up of sending important Bills to their Lordships' House at a period so late in the Session. He thought this House was called upon in some way or other, not merely to mark its sense of this mode of proceeding, but to guard against that mode of proceeding hereafter; and he hoped it would be proposed in the next Session of Parliament to take some step that would preclude their Lordships, except where special cause was shown, from entertaining any Bill whatsoever that came up to them after a certain date. Their Lordships had it in their power to mark their sense of this mode of transacting the business of Parliament; and he wished the Bill on the table was such as, without any public inconvenience and sacrifice of the rights of third parties, he could, by rejecting it, mark his own sense, individually, of the manner in which the House had been treated; but as he believed that this Bill would be considered most beneficial to the manufacturing interests of this country, he would therefore support the first reading.

The Earl of **FALMOUTH** supported the Amendment, and argued that the Bill had not been sufficiently considered in the House of Commons, where it was agreed to by a small majority, and that at a period of the Session when nine-tenths of the Members had left town. The noble Earl then called attention to the apprehensions existing of a deficiency of food in Cornwall by a failure of the potato crop and the wheat harvest, through the continuance of wet weather; and contended that this evil would be much aggravated by the want of employment that would follow the enactment of the present Bill. If there was a body of manufacturers in the country, who were in a flourishing state, it was the copper smelters; and, in addition to the injury which the Bill would inflict on the Cornish miner, it would also have the effect of creating a monopoly in copper smelting.

The Earl of **DESART** said, that from the observations of the noble President of the Council, it would almost appear that the copper-smelting trade was on its last legs, and had nearly left this country; whereas he believed that the smelters were about the most flourishing interest which existed at the present moment in the whole of Great Britain, and that if they were not so powerful and so well represented in the other House of Parliament their Lordships would have heard nothing of the measure now before them. As the Bill had not been sent up to their Lordships' House until within two or three days of the prorogation, he trusted that they would adopt the Amendment of his noble Friend.

Lord **WYNFORD** considered that the House had not been treated with respect as regarded this Bill. They ought to remember that it was a Bill which, if it passed into law, would confer a benefit on slaveholders.

Earl **GRANVILLE** replied.

The House divided: — Contents 17; Not-Contents 13: Majority 4.

Bill read 1^{a}.

House adjourned.

HOUSE OF COMMONS,

Friday, September 1, 1848.

Minutes.] Public Bills.—3^{o} and passed:—Copper and Lead Duties; Poor Law Auditors Proceedings Restriction.

Petitions Presented. By Viscount Morpeth, from the Parish of Halifax, in the County of York, for a Better Observance of the Lord's Day.—From Members of the Gisburn District of the Independent Order of Odd Fellows, for an Extension of the Benefit Societies Act to that Order.—By Mr. Anstey, from William Cobbett, a Prisoner in the Queen's Bench Prison, praying for the Production of certain Papers, relative to his Case.—By Sir R. H. Inglis, from several Clergymen of the United Church of England and Ireland, against the Diplomatic Relations, Court of Rome, Bill.—By Mr. George Hamilton, from the Minister and Congregation of the Episcopal Chapel, Upper Bagot Street, Parish of St. Peter's, Dublin, for Encouragement to Schools in Connexion with the Church Education Society (Ireland).—By Mr. Pearson, from Inhabitants of the Parish of St. Mary, Lambeth, for Inquiry into the Present State of the Law in reference to Grand Juries.—By Viscount Morpeth, from Clergymen of the Church of England, residing in the several Parishes of the Town of Southampton, in favour of the Health of Towns Bill.—From Members of Waterford Sanitary Association, in favour of Measures for the Prevention of the Indian Cholera in Ireland.—By Mr. Anstey, from Daniel Keane, of 36, Lincoln's-Inn-Fields, in the County of Middlesex, respecting the Absence of Judges from Chambers.—From Ratepayers of the Township of Rotherham, Yorkshire, for an Alteration of the Law respecting Mendicants.—By Viscount Morpeth, from Officers employed in the Keighley Union, Yorkshire, in favour of a Superannuation Fund for Poor Law Officers; also for an Alteration of the Poor Law Union Charges Bill.—From the Grand Jury of the City of Limerick, respecting the Impediments in the River Shannon.—By Mr. Aglionby, from Henry Chawner, Esq., Lord of the Manor of Greatham, in the County of Southampton, against the Proposed Inclosure of the Waste Lands.

LORD CHIEF JUSTICE WILDE.

In answer to a question from Mr. ANSTEY,

The ATTORNEY GENERAL said, that hon. Members who were acquainted with the Lord Chief Justice of the Common Pleas would be satisfied, without any statement from him, that that learned individual would not be neglectful of any duty attached to his high office. He had, however, communicated with the learned Judge on the subject, and received from him the following statement, dated August 30, which he would read to the House. The Lord Chief Justice of the Common Pleas, in a letter addressed to him (the Attorney General) stated—

"I am much obliged to you for your note and the copy of the petition about to be presented by Mr. Anstey. The only observation which I have to make upon its contents is, that so far as they refer to me, they are founded in error. I am not on the rota for attendance at chambers, nor is it any part of my duty as a Chief Justice to attend. In the arrangement of the judicial duties, that of the routine attendance at chambers has always been performed by the puisne judges; and neither the Chief Justices nor the Lord Chief Baron are in the habit of attending, although, under special circumstances, and as an accommodation to their brother judges, they may have attended on particular occasions. Previously to the appointment of the three additional judges, in 1832, there was no regular attendance at chambers during the long vacation. In 1838 a resolution was adopted by the judges, that the last newly-appointed judge who had not before performed the duty should be the attending judge in the long vacation. The Chief Justices and the Chief Baron have considered that resolution to refer to the judges charged ordinarily with the duty of attending to chamber business, and have never held it to refer to themselves, or acted upon it. In the long vacation of 1846, following my appointment, I had an intimation from one of the judges that I was expected to attend chambers during that vacation. I disclaimed being subject to any such duty, and declined to attend. Since that time no communication on the subject has been made to me by any of the judges; but upon my return from the circuit last week, I heard from my clerk that it was reported that I was about to attend chambers. I immediately stated that such report was not authorised by me, and that I did not propose to attend; and the notices referred to in the petition have none of them been issued by my direction, or had my sanction. I learn from the Lord Chief Baron that, upon his appointment, Lord Denman and the late Lord Chief Justice Tindal, both intimated to him that it was no part of his duty to attend chambers, pursuant to the resolution of 1838; and the Lord Chancellor has given me permission to authorise you to state to the House, that he considers that it is not my duty to attend upon the present occasion. I received your letter and the petition last night, and also letters from two solicitors; and, learning from them that there were some matters calling for an early judicial interference, I did not think it right to stand upon a question of strict obligation, but came to town this morning and directed immediate notices to be sent to the parties that I would attend at chambers to-morrow at eleven o'clock, and I shall attend accordingly, for a few days, in order that the public may not be inconvenienced while the judges make their arrangements for future attendance during the vacation."

He was sure that the House would acknowledge that the Lord Chief Justice had acted most praiseworthily in taking care that the public should not be put to an inconvenience; though that act of kindness on his part must not be construed into any admission that his attendance was obligatory.

SWEEPS.

Mr. ANSTEY said, that some time ago he had put a question to the right hon. Secretary for the Home Department as to the illegal "sweeps" advertisements; and as to the intention of the Government to prosecute the parties who offended in that respect. The answer he received was, that the matter would be referred to the proper authorities; and he now asked the hon. and learned Attorney General, whether any decision had been come to on the subject? He asked the question in the interest of certain newspapers, which had hitherto refused to insert such advertisements.

The ATTORNEY GENERAL believed that there had been a misconception of the intention of the Act of Parliament introduced by the noble Lord opposite with respect to the authority or duty of the Attorney General to prosecute in cases of this sort. He believed that that duty of the Attorney General existed only in respect to racing. He, however, admitted that the evil referred to was so extensive, and tended so much to the demoralisation of the people engaged in it; and that at the same time the permission of it was not right or fair towards those newspapers which, in obedience to the law, abstained from inserting advertisements of the nature referred to—that he felt he should be compelled to take proceedings, if the practice of publishing those advertisements were continued. He thought it right to give this public notice on the subject, in order that parties might not afterwards excuse themselves on the plea that they had offended innocently and in ignorance of the law.

Sir R. H. INGLIS said, an answer precisely similar to the one which the House had just heard had been given to a question put by him three months ago.

Sir G. GREY said that he had stated, on the occasion alluded to by the hon. Baronet, that he had referred the matter to the Attorney General. Since that period the offence had gone on increasing.

Lord G. BENTINCK trusted that there would not be one law for the rich, and another for the poor. If these "sweeps," which were the lotteries in which the middle classes took part, were to be put down, it was to be hoped that all lotteries of every description at the clubs and among the higher classes would be treated in the same way.

The ATTORNEY GENERAL understood the question of the hon. Member for Youghal to refer to the advertisements in certain newspapers respecting different "sweeps." He was not at all anxious to take any steps in the matter, as such proceedings were always painful; but the subject had been so much pressed on his attention, that he felt bound to exercise the power vested in him.

MR. VERNON'S GIFT.

Viscount MORPETH brought up the report of the Committee on Works of Art.

Sir R. H. INGLIS thought that some acknowledgment of public thankfulness ought to be offered to Mr. Vernon for the unparalleled donation he had made to the country. He could not allow the report of the Committee on Works of Art to be laid on the table without expressing his opinion, that an act so unprecedented as that of Mr. Vernon should not pass without acknowledgment. Something ought to be done to mark the public gratitude. If a donation like that were to be allowed to pass by in silence, he feared that the public would not deserve to receive such another.

Viscount MORPETH assured the hon. Baronet that the Committee on Works of Art expressed their sense of the great and splendid generosity exhibited by Mr. Vernon in the donation he had made to the country.

CEYLON.

In reply to a question from Mr. Hume,

Mr. HAWES stated that Her Majesty's Government had received two despatches from the Governor of Ceylon, dated in July, which stated that a noisy meeting had taken place in Kandy on the subject of ordinances recently issued by the Colonial Government; that Sir E. Tennent, the Colonial Secretary, had been despatched to Kandy to explain the ordinances to the people; and that they were perfectly satisfied with his explanation. The Governor, in a despatch of the 12th of July, stated that every thing was quiet. It was quite true the troops had been ordered out, but it was rather for show than use, on account of the police feeling some alarm; and the appearance of the soldiers had the immediate effect of producing tranquillity. With regard to the ordinances in question, he (Mr. Hawes) might state that the Governor had repealed a very large portion of the taxation of Ceylon; he had equalised the import duties, and had reduced the export duties, but he found it necessary to substitute some other taxes. That taxation was not, however, as had been stated in another place, in the nature of a poll-tax. It was a tax for the improvement of the roads, similar to the old statute-labour in this country, the inhabitants of certain districts in Ceylon being required to give six days' labour in the year, or to pay 3*s*. in lieu of it. This had been explained by Sir E. Tennent, and the people seemed to be perfectly satisfied with his statement. A tax upon guns had been imposed by the Governor; but formerly no one in the island was allowed to carry a gun, and this matter had also been satisfactorily explained by Sir E. Tennent.

Subject at an end.

COPPER AND LEAD DUTIES BILL.

On the question that the Bill be read a Third Time,

Lord G. BENTINCK moved, as an Amendment, that it be read a third time that day month.

The House divided on the question that the word "now" stand part of the question:—Ayes 38; Noes 25: Majority 13.

List of the AYES.

Bernal, R.
Blackall, S. W.
Boyle, hon. Col.
Brotherton, J.
Callaghan, D.
Clay, J.
Cobden, R.
Duncan, G.
Dundas, Adm.
Ebrington, Visct.
Fox, W. J.
Greene, J.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Hawes, B.
Hayter, W. G.
Henry, A.
Hobhouse, rt. hn. Sir J.
Hobhouse, T. B.
Hume, J.
Jervis, Sir J.
Lascelles, hon. W. S.
Lewis, G. C.
Locke, J.
Lushington, C.
Matheson, Col.
Muntz, G. F.
O'Connell, M. J.
Price, Sir R.
Sheil, rt. hon. R. L.
Smith, J. A.
Stuart, Lord D.
Talfourd, Serj.
Tenison, E. K.
Thompson, Col.
Tollemache, hon. F. J.
Villiers, hon. C.
Wood, rt. hon. Sir C.

TELLERS.

Tufnell, H.
Parker, J.

List of the NOES.

Anstey, T. C.
Beresford, W.
Broadley, H.
Burrell, Sir C. M.
Disraeli, B.
Dunne, F. P.
Forester, hon. G. C. W.
Hamilton, G. A.
Henley, J. W.
Keogh, W.
Knox, Col.
Lowther, hon. Col.
Morgan, O.
Mullings, J. R.
Repton, G. W. J.
Reynolds, J.
Robinson, G. R.
Seymer, H. K.
Sidney, Ald.
Sotheron, T. H. S.
Taylor, T. E.
Vyse, R. H. R. H.
Willoughby, Sir H.
Wodehouse, E.
Wyld, J.

TELLERS.

Bentinck, Lord G.
Newdegate, C. N.

Bill read a third time and passed.

TREATMENT OF JOHN MITCHEL.

LORD G. BENTINCK wished to put a question to the Home Secretary, of which he had given notice, with respect to the treatment of the convicted felon Mitchel. His object in putting this question was to obtain a contradiction of certain reports, in which he (Lord G. Bentinck) certainly did not place any credit. Those reports, which related to the treatment of Mitchel at Bermuda, had been so widely circulated, that he (Lord G. Bentinck) thought it absolutely necessary, in order to show the determination of the Government to visit persons of all stations who might be convicted of offences with equal punishment, that some contradiction should be given to them. He had received a letter on this subject from a person who was connected with the legal profession, and who did not wish his name to be publicly mentioned, although he (Lord G. Bentick) had stated it in confidence to the right hon. Home Secretary. The writer requested him to ask whether Mitchel had messed every day with the Lieutenant commanding Her Majesty's ship *Scourge*, on the voyage from Cork to Bermuda? His informant said—

> "It is well known here that he did. It is also reported that, on taking leave of him, the officer of that steamer shook hands with him."

And the writer added, that the lieutenant commanding justified this conduct under a letter from the Lord Lieutenant of Ireland, ambiguously worded, in which the officer was told to remember Mr. Mitchel's former position. The writer further stated that since Mr. Mitchel's arrival at Bermuda he had a private room on board the hulk—that he had a servant, another convict, to wait on him—that he wore his ordinary clothes instead of the convict dress—and that he had not been put upon the public works. A similar report had found its way into the American newspapers. The *New York Herald* of the 4th instant stated, with respect to Mitchel, that he still wore his own clothes; that he was not asked to work; that he was treated in every respect, consistently with his safe keeping, like a gentleman; and that he was allowed books, but neither pen nor paper. In putting this question, he wished it to be understood that he did not believe that any officer in the Queen's service would shake hands with a convicted felon; and he felt perfectly satisfied that the Secretary of State for the Home Department would be able to tell the House that no distinction would be made between convicts of station and education, and the meanest convicts who might be subjected to the penalties of the law. He begged to add that, far from crediting the statement that Lord Clarendon had written a letter directing that Mitchel should be treated in a different manner from other convicts, he believed that that noble Lord was actuated by a determination to carry out the law rigidly and justly.

SIR G. GREY said, that a question similar in purport to that asked by the noble Lord, had been put to him some time since by another hon. Member; and the answer he had now to give to the noble Lord's question, would be substantially the same as he had before given. On that occasion, the hon. Member placed in his hands copies of the information which had reached him on the subject. He communicated with the noble Earl at the head of the Admiralty, who stated that he had not received any corroboration of that information. He stated at that time that Mitchel was removed from Cork to Bermuda almost immediately after his conviction, not in an ordinary convict ship—because there would have been considerable delay before such a ship was ready—but that, in order to show the determination of the Government to carry the law into effect, he was placed on board a war steamer, the *Scourge*, which was about to proceed to Bermuda. He might here state, that the *Scourge* was not commanded by a lieutenant, but by a commander—Commander Wingrove, who was an officer of considerable standing in the service. Commander Wingrove received his instructions as to the treatment of Mitchel, not from the Lord Lieutenant, who had no power to give such orders, but under an Admiralty letter, an extract from which he had before read. It was indeed necessary that such instructions should be addressed to the commander, because the conveyance of convicts was not any part of the service of men-of-war. Commander Wingrove was instructed that while any possibility of the prisoner's escape existed, every precaution should be taken for his safe custody, but that while at sea he should be allowed such indulgence in the way of exercise and food as the state of his health, which was represented to be delicate, might render necessary. The officer was also directed to provide a cabin for the prisoner's reception, in which he was to take his meals, and at the door of which a sentry was to be placed. He (Sir G. Grey) had received no information to lead him to suppose that the accounts which had been given to the noble Lord opposite could be correct; and, in the absence of any information on the subject, and remembering also the mis-statements which had been circulated with regard to the prisoner's treatment on board the *Shearwater*, on his passage from Dublin to Cork, he must express his belief that the statements referred to by the noble Lord were unfounded. With respect to the representations which had been made as to Mitchel's treatment at Bermuda, the best answer he could give would be to read some extracts from the despatches of Governor Elliot. In a letter addressed to Earl Grey, and dated the 22nd of June, Governor Elliot stated—

"In reply to your Lordship's separate despatch of the 29th of May," [which transmitted the warrant authorising the Governor to receive and detain John Mitchel, and which warrant was made out in precisely the same form as in the case of other convicts,] "I have the honour to report, that Her Majesty's sloop *Scourge* arrived here on the 20th inst. After ascertaining from Lord Dundonald when it would be convenient to hand over the prisoner John Mitchel, I ordered him to be received by Mr. J. K. Kirkham, overseer of the *Dromedary*, and he was accordingly removed to that hulk last evening at four o'clock. Dr. Hall, the medical superintendent of the convict establishment, waited upon me this morning, and recommended that this prisoner should not be sent out to the works till it could be judged how far occupation of that nature might be compatible with his health and strength, reported to be constitutionally weak."

On the 4th of July, Governor Elliot addressed another letter to Earl Grey, in which he said—

"The medical superintendent has stated it to be his opinion that the prisoner, John Mitchel, has a chronic affection of the lungs, and, acting under his advice, I have caused Mitchel to be removed to the *Tenedos* hospital ship."

This letter enclosed the following communication from Dr. Hall to the Governor, and upon which Governor Elliot acted:—

"I have the honour to submit to your Excellency some observations that have presented themselves to my notice in the medical inspection which I have made to-day on board the hulks in the Chamber. According to the regulations of the service, my attention was directed to the state of health of a recently arrived prisoner, named John Mitchel, now on board the *Dromedary* hulk; and, from his bodily appearance, and the information afforded by a medical certificate, I have been led to bring under your Excellency's notice my opinion that the said John Mitchel has a chronic affection of his lungs and a physical condition of body, which renders him very inefficient for hard labour on the public works. Although he is not now on the sick list, yet it is very probable he soon will be. I beg leave, therefore, to submit to your consideration whether he might not be usefully employed among the convalescents in the ward for sick officers in this hospital."

He apprehended the meaning of this was that Mitchel would be employed in the same way as the other convict servants in the hospital-ship, and that such work would be assigned to him as was performed by convalescents. He might state that, since this correspondence was received, he had heard that Mitchel had been removed to another hulk. The only statement the noble Lord had made for which there appeared to be any foundation was that Mitchel had not been employed on public works; and this was in consequence of the recommendation of Dr. Hall. He had no information with regard to the prisoner's dress. Indeed, he had read to the House all the information he possessed on the subject.

THE DANUBIAN PRINCIPALITIES.

Lord DUDLEY STUART inquired whether the Russian troops were not still in Moldavia; whether the noble Lord the Foreign Secretary had had any communication from Russia upon this subject; and whether the troops were likely to be speedily withdrawn?

Viscount PALMERSTON: These Russian troops entered Moldavia, some time ago, at the request of the Hospodar, and without any orders from the Cabinet of St. Petersburgh. I believe, in fact, that when it was made known at Constantinople, the Russian Minister there sent a communication to the general, that a commissary was going to those provinces, and that therefore their presence was not wanted, and that upon that they were going to withdraw. Since that, I believe, orders have been received from St. Petersburgh that they should remain till further instructions. The corps is not large, but it does remain there. I have had recent communications from St. Petersburgh, stating that the purpose for which it is there is the maintenance or re-establishment of order, that its stay is only temporary, and that it will be withdrawn when the occasion has ceased; of course, no definite period was stated, but it was avowed to be only a temporary occupation. Russia has certain relations with those principles as a protecting Power, by virtue of treaties; and therefore it is not entirely a case of the entrance of the troops of one Government into the country of another with which it has no concern. The entry is on the authority of the Hospodar, and there is no disposition for the acquisition of territory.

THE CHELTENHAM ELECTION COMMITTEE.

On the Motion that the House do now adjourn,

Mr. ROUNDELL PALMER said: Sir, I feel it my duty to address to the House a few observations on a matter affecting in an important degree my own character, and that of every other Member of the House who was associated with me in the discharge of the duties imposed on us by our being selected to try the merits of the petition presented against the late return for the borough of Cheltenham. This a matter which concerns not myself only, and those Gentlemen, but it concerns also the dignity and character of this House, because an impediment has been offered to the due discharge of those difficult, and delicate, and laborious functions which are intrusted to Committees who have to decide on the validity of the elections of Members of the House. I am sure that when I first heard of my appointment on the Committee, I was fully aware that I had been appointed to discharge a very disagreeable duty, and one which might become infinitely more disagreeable, if the consequence of the investigation should be that we should feel it necessary to declare the seat to be vacant. I confess, however, that I was not prepared to find that, after honestly and conscientiously discharging the duties imposed upon me by the House and by the law, and which I had sworn at the table faithfully to perform, I should be assailed with scurrilous, venomous, foul-mouthed, personal calumny by the Gentleman who was unseated by the decision of that Committee; a Gentleman to whom I was a total stranger, to whom I bore no personal ill will, and no ill will on public and political grounds; and towards whom I had no other feeling than a desire to render him justice in the execution of the duty assigned to me. I have received information from several parties, to whom I beg to tender my best thanks, that a speech was delivered by Mr. Craven Berkeley, at Cheltenham, on Monday last, which was published in the *Cheltenham Examiner* of Wednesday. That gentleman is reported to have addressed a meeting of the electors of Cheltenham, and to have referred to the Members of the Election Committee in the following terms. He said—

> "Gentlemen, when Mr. James, my counsel, and myself, saw the constitution of the tribunal before which my cause was to be tried, we viewed the result of their decision with serious apprehension and alarm. I will tell you how that Committee was constituted; and now, gentlemen of the press, take my words down and report them correctly, for I intend my opinion of that Committee to go east, and west, and north, and south."

Now, really I am sorry to read the words which follow—not for the sake of Sir W. Clay, because it was impossible for any man to exhibit more ability, more courtesy, more candour, more moderation and justice, or a greater consideration for all parties concerned, than were displayed by Sir W. Clay as the Chairman of that Committee. And yet, because the Committee came to a decision adverse to Mr. C. Berkeley's wishes, he speaks of Sir W. Clay in these disgraceful terms:—

"Now, the Gentleman selected as Chairman of that Committee was Sir William Clay, the Member for the Tower Hamlets—an empty-headed coxcombical fop, possessing that which no other person possesses of him—the very best opinion of himself—a man, to use a common expression, who, for any one to buy at his own valuation, and sell at his intrinsic worth, the purchaser would be very much the loser."

No Gentleman would think this worth noticing; it refutes itself. I now come to what is said of myself:—

"The next Gentleman upon that Committee was Mr. Roundell Palmer, the Member for Plymouth, a Puseyite lawyer, who has bolstered up his somewhat questionable reputation by means of one or two lucky hits in the Court of Chancery. He is perfectly ignorant of the law of evidence, and perfectly ignorant of the common law of the land, and of the practice of the ordinary tribunals of justice in this country."

Now, if this gentleman had stopped there, I should not have noticed his observations, because I should have felt that it was quite unnecessary for me to come here and make any answer to such an attack. But what he goes on to say is this:—

"Now, Gentlemen, I contend that a Parliamentary Committee once formed, becomes a judicial tribunal, and that it is bound to decide on such evidence, and such alone, as would be admitted in a court of common law. Did the Committee act upon that fair and honourable principle? Why, if this petition had been brought before any jury of twelve honest Englishmen, chosen from any county in the empire, I don't care where, they would never have left the box to consider their verdict, which must have been an unanimous verdict in my favour."

Certainly, if that were so, we were very unfortunate, because the vote of the Committee against the hon. Gentleman was unanimous; that Committee being composed of Members entertaining different political opinions, and the majority, I believe, consisting of Members holding the same political opinions as the hon. Gentleman. But now comes the passage to which I wish particularly to call the attention of the House:—

"I will now return to the constitution of the Committee. I have disposed of two of them, and I appeal to you whether I have not fairly, and justly, and honestly, disposed of them. And here I am reminded that one of these Gentlemen (Mr. Roundell Palmer) committed during this investigation one of the most indecent acts which it was possible for a man in his situation to be guilty of. Mr. Roundell Palmer was in frequent conversation and colloquy with the counsel and agents for the petitioners during the hearing of the case. I ask you, if any man were being tried for an offence at Gloucester, what would the country say, if during the hearing of the case any of the jurymen were to be seen in consultation with the counsel for the prosecution? Yet that was what was done by Mr. Palmer during the inquiry. He was seen near Howard's robing-rooms, next door to the House of Commons, where, no doubt, he had been closeted with the counsel for the petitioners."

That I meet with the most distinct and deliberate contradiction. I never spoke one word to any one of the agents concerned on either side. With the counsel I was personally and professionally acquainted, and of course if I met them I spoke to them as friends. But if I made any observations to them in the progress of the case, I most carefully guarded myself from saying anything which could guide them as to what was going on in the deliberations of the Committee. I never said one word to them which did not relate to unimportant topics; and, as to being closeted with the counsel for the petitioners, I declare that a more unfounded calumny never came from the mouth of man. In the same way, it might be said of me that I was closeted with Mr. Craven Berkeley, because that Gentleman did me the honour to address to me some conversation upon what was going on, which he might have done with great propriety. I repeat, therefore, that a more ungenerous, a more unjust, or a more unfounded charge never was made against any man. Mr. Berkeley goes on to say:—

"Now, Gentlemen, the third Member of the Committee is Captain Harris, the Member for Christchurch, and brother to Lord Malmesbury. He is a Tory of the old school, and he went to that Committee with his mind made up, and perfectly convinced that it was his conscientious duty to unseat the Liberal Member. The two other Members of the Committee are very estimable and amiable men in private life; but I assert that they are both totally unfit to sit upon a legal tribunal. Whatever Mr. Roundell Palmer said, Mr. Ogle and Mr. Thicknesse immediately assented to."

Now that, I believe, is all that I need notice. To be sure, one Gentleman at the meeting was pleased to play upon my name, and to call me "Mr. Scoundrel Palmer;" but he was not a former Member of this House, and his observations may be passed over without further remark. Probably I might be justified in founding some Motion upon the statements which I have read to the House, or in bringing the matter forward as a breach of privilege; but I do not think it worth while. I trust that the House will not think it necessary to call for this mode of vindication, and that the characters of the hon. Gentlemen who have been assailed will be thought to afford a sufficient refutation of the charge. I must say, I never heard a clearer case than Mr. Craven Berkeley's; and the decisions of the Committee were unanimous, except upon the last point which came before them. Mr. Gardner, the Conservative candidate, had given a notice in general terms, respecting acts of bribery which had been committed during the election; and he claimed the seat on the ground that Mr. Berkeley had been disqualified, though he (Mr. Gardner) was in a considerable minority. The question was one of much nicety, and we divided upon it in the proportion of two to three; and if I had thought fit to concur in the opinion expressed by the Chairman of the Committee, who is opposed to me in politics, and by another Member of it, who agrees with him, Mr. Gardner would now have been the sitting Member for Cheltenham. After what I have said, I hope the House will excuse me from taking any further notice of the matter.

Mr. J. O'CONNELL quite agreed with the observation which had fallen from the hon. and learned Member, that unless this very unjust accusation had been made against the constitution of the tribunal appointed for the trial of the petition, it would not have been worth his while to bring the matter forward. He regretted exceedingly that a gentleman, who was formerly a Member of that House, should, in the excitement of an election, have indulged in the unjustifiable language which he was reported to have uttered. It was a most unfair thing to cast an imputation upon any Gentleman for speaking as a friend to gentlemen with whom he had a professional acquaintance. He was not a member of the bar, but he was acquainted with many of the Parliamentary counsel, and he should think it very hard if he were accused of a want of impartiality because he had exchanged a word with Mr. Serjeant Wrangham or with Mr. Serjeant Kinglake.

Lord G. BENTINCK: I think I should be wanting in duty to the House, if I did not rise to express my indignation at the outrage which has been committed against the five honourable men who were the Members of this Committee. I hope that the noble Lord opposite, representing the Government, will also express the indignation which is universally felt by us that a gentleman, once a Member of this House, should have dared to make such an attack as this on Gentlemen acting judicially in their office of Members of an Election Committee. I learn from you, Sir, that technically this is no breach of privilege, because an Election Committee is appointed by an Act of Parliament, and by that Act is directed to be constituted of Members of this House. But, if this had been a Select Committee, acting by the order and appointment of the House exclusively —if such a charge had been made against it, I apprehend it would have been such a breach of the privileges of this House that we could not have abstained from calling any gentleman who had been guilty of it to the bar. But, what is the case here? An Election Committee, with three out of its five Members who were the political friends of the gentleman whe has now dared to impugn their conduct, has been charged by him with partiality, corruption, and injustice. And then the hon. and learned Gentleman the Member for Plymouth, whose legal reputation is known to all the empire and to all the world, is selected, above all, as a person supposed to be ignorant of law; when it turns out that he was the very Member to whose influence—an influence just on account of his legal reputation—it was owing that the claimant of the seat, who was of the hon. and learned Member's own party, was prevented from obtaining it. I could not resist rising and expressing my feelings of indignation against such a charge.

Viscount PALMERSTON: I feel no difficulty in expressing my deep regret, that my hon. Friend the late Member for Cheltenham should have been led away by the irritation of the moment, to express himself in terms so unbecoming and undeserved of five Gentlemen who were acting in the performance of their duty, and under the obligations of an oath, because they have come to a decision which is in accordance with strict justice. I am sure, however, that the Members who have been so unjustly attacked must feel too strong in their own personal character, and the respect which that character inspires, not only in this House, but elsewhere, to suffer in any degree from the unfounded aspersions which, in an unfortunate moment, my hon. Friend was led to cast upon their character and conduct. I think that the hon. and learned Gentleman was quite right in giving a contradiction to the statement which he brought forward; and I am sure that he will be satisfied with the explanation which he has afforded the House. I doubt not that my hon. Friend, whose speech has been the subject of this discussion, will, in a calmer moment, regret having uttered it.*

House adjourned at half-past Five o'clock.

HOUSE OF LORDS,

Saturday, September 2, 1848.

MINUTES.] PUBLIC BILLS.—2° Copper and Lead Duties.
Reported.—Consolidated Fund (Appropriation); Slave Trade (Muscat); Exchequer Bills; Taxing Masters, Court of Chancery (Ireland); West India Colonies and Mauritius; Savings Banks (Ireland).
3° and passed:—Slave Trade (Equator); Drainage Certificates; Lock-up Houses; Spirits (Dealers in); British Spirits Warehousing; Distilling from Sugar; Postage on Newspapers (Channel Islands); Post Horses Licenses, &c.

COPPER AND LEAD DUTIES BILL.

EARL GRANVILLE moved the Second Reading of this Bill.

The EARL of DESART said, that he considered his noble Friend had been perfectly justified in the course which he yesterday took with respect to the measure then before their Lordships. It was fitting that such a Bill should have been opposed on its first reading, and he should now oppose it on the second reading. There was no reason whatever why a Bill of that kind should be hurried through the House of Lords at such an advanced period of the Session. It was a Bill, as they all knew, the object of which was to extend the experiment of free trade; now, as that experiment had not been by any means successful, he did think that Parliament ought to resist its extension until the duration of its period of trial had been somewhat prolonged. No one could deny that the Bill then under consideration was part of the systematic attack that had been for some time in progress against the commerce and the agriculture of this country, and which had grievously injured both. Ministers were now resolved to attack the mining interest, and he hoped that the House of Lords would make some effort to put an end to this rash and undignified course of legislation. He should certainly vote against the Bill.

The MARQUESS of LANSDOWNE trusted that the noble Lord was not present when it was arranged that no opposition should that day be offered to the progress of the Copper and Lead Duties Bill. It must be recollected by almost every one then in the House that, when it was asked whether there was any intention on the part of noble Lords opposite to renew their opposition to the Bill on this its second reading, the noble Lord who took a lead in the opposition replied that, for his part, he should be 100 miles off at twelve o'clock that day; and the perfect silence of all other Peers entitled Ministers to conclude that all opposition to the measure was at an end. The noble Lord opposite took an opportunity well suited to the value of his arguments, and showed his own estimate of that value by bringing them under the notice of the House at such a time and under such circumstances as he had addressed the House.

The EARL of FALMOUTH contended that the course taken by Her Majesty's Government fully justified the opposition of his noble Friend. He thought the House had great reason to complain that a Bill of this kind should have been brought before them at such a period of the Session as the present.

EARL GREY repeated the statement, that there had been an understanding not to debate the Bill that day. As to the delay of the Bill in the other House, that was entirely owing to those who opposed it. More than once the stages of it had been postponed for the accommodation of hon. Members who were adverse to the Bill.

LORD WYNFORD complained that the Bill had been brought up to that House too late. He had been no party to any such arrangement as that to which noble Lords opposite had referred.

EARL GRANVILLE said, it had been fully agreed that the discussion was to be taken on the first, and not upon the second reading.

The EARL of DESART stated that, if he had known of any such arrangement he should not have troubled the House with any observations on the subject.

Bill read 2^a.

House adjourned.

HOUSE OF LORDS,

Monday, September 4, 1848.

MINUTES.] PUBLIC BILLS.—3^a and passed:—Savings Banks (Ireland); Copper and Lead Duties; Slave Trade (Muscat); Exchequer Bills; West India Colonies and Mauritius; Consolidated Fund (Appropriation); Taxing Masters, Court of Chancery (Ireland),
Received the Royal Assent.—Sugar Duties; Diplomatic Relations, Court of Rome; Postage on Newspapers

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* It seems proper to mention that Mr. Craven Berkeley addressed letters of apology to Mr. Roundell Palmer and Sir William Clay, which were published and accepted by those Gentlemen as full satisfaction for the offence complained of.

(Channel Islands); Post Horses Licenses, &c.; Spirits (Dealers in); British Spirits Warehousing; Distilling from Sugar; Slave Trade (Equator); Nuisances and Contagious Diseases; Controverted Elections; Battersea Park, &c.; Royal Military Asylum; Poor Removal (No. 2); Poor Law Union Charges (No. 2); Poor Law Auditors Proceedings Restriction; Millbank Prison; Commons Inclosure Act Amendment: Commons Inclosure (No. 2); Sheep and Cattle Importation Prohibition; Sheep and Cattle Contagious Disorders Prevention; Drainage Certificates; Lock-up Houses; Transfer of Landed Property (Ireland); Labouring Poor (Ireland); Dublin Police; Reproductive Loan Fund Institution (Ireland).

PETITIONS PRESENTED. From the Parish of St. Leonard, Shoreditch, for the Establishment of Sanitary Measures in each Parish in the Metropolis.—From the Mayor and Corporation of Cork, for a Reconstruction of the Municipal Law of Ireland.

CITY OF LONDON SEWERS BILL.

On the Motion that this Bill be read a Third Time,

The EARL of RADNOR moved the insertion of a clause, the object of which was to limit the operation of the Bill to two years.

The MARQUESS of CLANRICARDE opposed the Amendment.

Their Lordships divided:—For the Amendment 4; Against it 5: Majority 1.

The Bill read 3ª and passed.

COPPER AND LEAD DUTIES BILL.

Bill read 3ª according to order.

On the Motion that the Bill do pass,

The EARL of DESART said, he wished to remove a misconception that prevailed, that, in consequence of what had been stated on Friday night by Lord Redesdale, no further opposition would be given to the Bill. He would be no party to any such understanding. The Bill had passed with inconsiderate haste through the Commons, and he must still assert his right to oppose it in every stage. To show that the noble Lord (Lord Redesdale) merely spoke for himself when he said he would give no further opposition to the Bill, he (the Earl of Desart) would read an extract of a letter received from that Nobleman on the subject:—

"I will state to you exactly all that passed between Lord Lansdowne and myself on Friday evening, as to further opposition to the Copper and Lead Duties Bill. Just before the House adjourned, he asked me, across the table, whether I intended to oppose the further stages of the measure, as it was important that they should know; my reply was, 'I can only answer for myself that I hope to be many miles from this place by twelve o'clock to-morrow.' I was not in a position to answer for others, especially for Lord Falmouth, and those personally interested in the change of duties; nor had I that communication with them as to their wishes and intentions which would have justified me in saying anything that would have the effect of tying up their hands. On Thursday evening, when I told Lord Lansdowne and Lord Granville that I intended to oppose the Bill on the first reading, I said that I did so, not only as objecting to the measure, but to mark my opinion of the conduct of the House of Commons to our House in sending up a Bill of such importance, which they had before them in May, and might, therefore, have passed months earlier. Lord Lansdowne said that it would be more convenient to him to take the debate, as I proposed, on Friday than on Saturday; but not a word was said about the opposition ending with the first debate."

He (the Earl of Desart) felt it his duty to oppose, at this late period of the Session, the further progress of the Bill.

After a few words in explanation from the Marquess of LANSDOWNE,

LORD MOUNTCASHEL said, he felt it his duty, not only to oppose this mischievous Bill, but to give it every obstruction in his power.

Their Lordships then divided on question that the Bill do pass:—Content 25; Not-Content 11: Majority 14.

Bill passed.

EXCHEQUER BILLS BILL.

On the Motion that the Bill be read 3ª,

LORD MONTEAGLE said: I trust I may stand excused if I presume to call your Lordships' attention to this Bill, respecting which no explanation has been hitherto offered by the Government, nor has there indeed been one word spoken in this House. It is nevertheless by far the most important financial measure of the Session; and no less from my conviction of the consequences to which it may lead, and the dangerous inferences it may suggest, if unexplained, than from the public offices I have filled, and the public duties I am still called on to perform, do I feel myself under the obligation of addressing your Lordships for a short time. This Bill practically sanctions an addition of two millions to the public debt, to be contracted in time of peace. It does so, likewise, without the motive or justification of any new or more extended works for our national defence, or any increase of our military or naval force or establishments. On the contrary, those precautionary measures, which at the opening of the Session were considered to be indispensable, which were recommended from the Throne, and which were submitted to Parliament by responsible Ministers to the House of Commons, in the shape of increased estimates, have since been abandoned and withdrawn. The votes in supply have been reduced by a sum of between 800,000*l.* and

900,000*l.*, and yet we find ourselves compelled to borrow 2,000,000*l.* in a time of peace, in order to bring even to some plausible balance our income and our expenditure. Surely it behoves us, under such circumstances, to pause and inquire into the causes which produce so unsatisfactory a result. It is essential to examine carefully whether this bespeaks any falling-off in our national resources, affecting our public credit, and diminishing our powers of production and industry in peace, or diminishing our power by sea or land in case of war. My Lords, at the opening of the present laborious Session, I moved for an account which casts some light upon the subject, and to which I trust your Lordships' attention has already been directed. This account exhibits the whole of the annual supplies voted by Parliament in each year since 1835. I shall not trouble your Lordships with giving the detail of the successive years, but I must be permitted to lay before you the comparison of the first and last years of the series:—

Estimates voted.	1835.	1848.	Excess in 1848.
Army (including Militia & Commissariat)	6,188,000	7,012,000	824,000
Navy	4,245,000	7,764,000	3,519,000
Ordnance.........	1,296,000	2,801,000	1,505,000
Total for three Services	11,729,000	17,577,000	5,848,000
Miscellaneous ...	2,393,000	3,808,000	1,415,000
	14,122,000	21,385,000	7,263,000
Kaffir War	...	1,100,000	1,100,000
Expenses on Emigration in Canada, and Distress in Ireland	...	393,000	393,000
	14,122,000	22,878,000	8,756,000

In the present state of Europe I am not inclined to question what may be required for the strength and protection of the empire, although an increase of no less a sum than 5,848,000*l.* on a total of 11,729,000*l.*, or more than 50 per cent, has taken place in about thirteen years. Nor do I wish to cast blame upon my noble Friends in the Government. For much of the increased expenditure incurred in the last fourteen or fifteen years, I hardly hold them or their predecessors in office directly responsible. The blame, if blame it be, may be traced to another source, and rests in a great measure with Parliament itself. During the Governments of Lord Grey and of Lord Melbourne, and I may indeed include the Government of the noble and gallant Duke immediately preceding, vigorous and effectual steps were taken to enforce the most severe and rigid economy throughout all branches of the public service. In a statement which I made in the House of Commons in July, 1833, I was enabled to show that the estimates had been then reduced 2,727,000*l.* below the economical suggestions of the Finance Committee of 1817; that in the salaries of the great departments upwards of 1,000,000*l.* had been reduced between the years 1821 and 1833, and upwards of 5,689 offices had been abolished. My Lords, the same spirit of economy continued to influence the Government for several years subsequently; though with a diminished result. No sooner was it generally admitted that the Government were strictly economical, than somewhat of a contrary spirit began to show itself in Parliament. All imaginable claims, public and private, and all grievances, real or imaginary, found earnest Parliamentary advocates, pertinacious and zealous supporters. The Baron de Bode demanded his hundreds of thousands, and Staffordshire rose in defence of a countryman. Danish claims called forth the sympathy of Sheffield, Hull, and Manchester; French claims, Spanish claims, losses for goods on shore, losses for ships at sea, losses for book debts, all followed in quick succession, and were more or less successful. The functions of the Government and of the House of Commons, seemed for the time to be reversed. The House of Commons, more especially in advocating expense, placed itself in a false position. Nor was the application of these new principles confined to the cases I have described. It was extended to the naval and military services likewise. My Lords, I consider this to have been most unwise. I hold it to be of the very first importance that the armed force of this country should learn, under all circumstances, to look up to the responsible Government, and to their commanding officers for any increase of pay or allowances, and for maintaining the efficiency of the service, rather than to the House of Commons. But this was not permitted. Take as an example the Navy, on which, as your Lordships have perceived, the largest increase of expenditure has taken place, namely, an increase from 4,245,000*l.* to 7,764,000*l.* in thirteen years. Your Lordships cannot but remember the Motions made and repeated, Session after Session, to compel the Government to an increase of the estimates. It was stated that our ships were under-manned, that our dockyards were neglected, that the number of men-of-war kept at sea were too few. The full pay, the half pay, the marines, the pursers, the chaplains, the old flag-officers, the young lieutenants, all found friends ready to state complaints and to demand redress. The same course was pursued in other branches of the public service, and the result has been in multiplied ways to swell the annual expenditure. In addition to this, a system was introduced, and found favour in many quarters, of transferring heavy local charges to the public Treasury; new duties were undertaken by the State, founded for the most part, it is true, on just and noble principles, but all leading to increased demands on the Exchequer. It is far from my wish or intention to condemn this. I am stating facts, not presuming to censure. Many of these charges have been, and still are, incurred in the performance of great national duties; but those duties are costly; and when we have sanctioned and incurred the expenditure, it is childish to grumble at paying the bill. It is thus that we are called on to pay 400,000*l.* for criminal prosecutions, and for other expenses hitherto borne on the county rate. It is thus that we are also called on to provide 193,000*l.* for poor-law administration, and relief. For the improvement of our criminal law and our secondary punishments important experiments are made; and at Pentonville, Parkhurst, and Perth, prisons are maintained at a cost approaching to 70,000*l.* No sooner is the great improvement of railways extensively adopted than Parliament urgently require a department to be established for its regulation and control—an estimate for 17,000*l.* is the consequence. Slowly and reluctantly we admit the truth that ignorance is an enemy with which the State is bound to struggle—the performance of this Christian and social duty demands an annual expenditure of 200,000*l.* You are persuaded by benevolent men that factory labour requires to be regulated by Act of Parliament—that the condition of the females in mines, of the handloom weavers and of other classes, requires investigation and control. All this, too, requires money—and it is voted. The state of the narrow seas—the interests of our commercial navy—the new conditions developed by steam navigation—are pressed on your attention; 150,000*l.* are accordingly appropriated for harbours of refuge; an expense to be considered hardly more than as preliminary to the votes for the same service which must inevitably follow. You require packet communication with India—it costs you 50,000*l.* a year, and costs the Company as much more. But I need not do more than entreat your Lordships to look round you, to survey the gorgeous splendour of the House in which we sit; one glance, if it does not justify, will at least serve to account for the lavish expenditure which is taking place in every quarter. These votes in supply are not the only charges with which we have to deal. Your legislation has in late years become bolder and bolder in the tasks undertaken—tasks that have been, in many instances, nobly performed. But in proportion as the steps to be taken are bolder, so they require more preliminary inquiry and investigation. Hence the necessity of various Commissions of Inquiry; proceedings highly useful when their functions are not misapplied. In an incomplete account which is before Parliament, it is shown that the expense of these proceedings, for a very few years, has exceeded 1,129,000*l.* A further head of charge will be found in the new payments cast on the Consolidated Fund. You justly require an improved system for registering births, marriages, and deaths—you require your voters to be registered likewise, and they sturdily refuse to pay even one shilling to the public officer who tests and records their qualifications. You condemn all judicial and legal fees; those are, therefore, abolished, but the salaries and fees reappear as compensations, and are defrayed by the public in place of by the suitors. All this enhances the amount of public expenditure. I might carry this investigation much further; but I think I have sufficiently proved what are some of the causes of our increased expenditure. I must again repeat that I am far indeed from wishing to censure all that I have enumerated. In many respects it has been wise, and the public have reaped a full benefit from this application of the national income. But when the decision made has been that of Parliament itself—when these services have been called for by public opinion and sanctioned by the approbation of the public—it is weak and undignified to grieve over the inevitable cost, and to expect we can at once secure these expensive benefits, and refuse to submit to the burdens which they inevitably occasion. These various increased heads of charge, be it remembered, greatly exceed the 2,000,000*l.* which you are this year compelled to borrow. I have thus endeavoured to trace much of our expenditure to its source. Allow, me, now my Lords, to review very briefly the state of our public income, in order to judge whether it is from any permanent falling-off in our national resources, that a necessity for the present Bill arises. If this were the case, we might indeed be justified in feeling mistrust and alarm. But such is far from being the fact. Notwithstanding we have repealed taxes that would be in themselves sufficient to constitute the whole revenue of many great European Powers, notwithstanding the difficulties and losses which commercial distress and Continental revolutions have produced, I find nothing in the state of the revenue that is calculated to excite the alarm even of the most timid, or that can shake our confidence in the powers of this empire, either for maintaining unimpaired our public credit, or for defending our national honour, and our national interests. Let our friends throughout the world rejoice with us in the causes of thankfulness with which we are blessed; and do not let our enemies, if we have any such, delude themselves by the false expectation that our resources are in a state of decay. The contrary, I believe to be the fact, if we only use rightly the blessings which surround us, and the manifold advantages placed within our reach—if we are wisely economical—and if we are energetic, patient, and enduring. I have already compared the expenditure of 1834 with that of 1848. I shall now institute a similar comparison between the income of the same two years; endeavouring thus to deal fairly and justly with the whole subject. The account stands as follows:—

COMPARATIVE INCOME FOR THE YEAR ENDING 5TH APRIL.

	1836.	1848.
Customs	£18,785,000	£19,940,000
Excise	11,720,000	13,276,000
Stamps	6,612,000	7,319,000
Taxes	3,620,000	4,347,000
Post Office	1,425,000	932,000
Surplus Fees	16,000	106,000
Hereditary Revenue	20,000	4,000
	£42,198,000	£45,924,000
Property Tax		£5,459,000
	£42,198,000	£51,383,000

Your Lordships will see from these figures that even—omitting the property tax—the ordinary income shows a very considerable increase. The only head of ordinary revenue which exhibits any considerable diminution is that of the Post Office, for which, I am ready to admit, to a certain extent, my own personal responsibility. But in so doing, I am at least justified in saying that I never either allowed myself to be led astray, or still less did I deceive Parliament by giving countenance to the over sanguine hopes of those who were more visionary than practical—I never stated that the great change which the House of Commons, and, I may add, the public, required from the Government, could be made without a very considerable financial sacrifice. I announced this conviction at the hazard of much unpopularity and many bitter reproaches. The event has proved that my anticipations were well founded. But the sacrifice has been compensated by the innumerable advantages, both direct and indirect, of the change. Neither let it be thought that the amount of 500,000*l.* loss, is solely to be attributed to the penny postage. The increased accommodation given to the public—the multiplied and more extended deliveries of letters—the doubling of the mails—the expenditure incidental to railways—are all charges which must, to a certain extent, at least, have fallen on the Post Office revenue, at whatever rate of postage that revenue had continued to be collected. Having thus remarked upon the state both of the income and expenditure, I shall proceed to observe on the mode in which the present Bill proposes to meet the deficiency of 2,000,000*l.*, which we are unfortunately called on to supply by incurring increased debt. I begin by admitting that my noble Friends have a precedent for the proposal they now make to us in the present Bill. A similar course was resorted to on a former occasion, and it was found to produce no sensible public inconvenience. Even if this were not so, I should be indisposed to argue against it, under the peculiar circumstances of the present Session, however I may regret its necessity. But I cannot wholly shut my eyes to its danger. The power which this Bill confers on the Treasury is of a most questionable as well as extraordinary kind. To enable the Chancellor of the Exchequer, at his own will and pleasure, with or without notice, to go into the market, to create stock, or to sell Exchequer-bills, is, in fact, to give him an authority to alter the value of the property of all the holders of public securities, whether funded or floating. When an ordinary loan is contracted, the requisite formalities, the knowledge of the sum to be contracted for, the declared terms of the bidding, the open competition, place a certain limit upon the inconvenience which, under the enactments of this Bill, are very possible to arise. But I admit that the amount to be raised is small—that my right hon. Friend the Chancellor of the Exchequer is prudent—and the precedent is in his favour. This defence, however, assumes the circumstances of the present case to be the same as in the former case to which I have alluded. Such is not the fact. In two important features the cases essentially differ, if the alternative of issuing Exchequer-bills under this Act should be resorted to. In the first place, the amount of railway bonds and debentures now in the market, circulating freely from hand to hand, bearing a high rate of interest, and considered perfectly secure, have introduced a formidable competition to the unfunded debt. Next, the habits and practice of the London bankers have of late years varied. Formerly, bankers were accustomed to invest large balances on Exchequer-bills, which now, rightly or wrongly I stop not to inquire, are employed through bill brokers, on the security of commercial papers: this, again, lessens the demands for Government floating securities. Further, in earlier times, the Exchequer-bills held by the Bank were never thrown on the market. By this system the amount of disposable Government paper was reduced, and the value of that which was left at the command of the public was proportionably enhanced. But a further change has likewise taken place. The Bank Act of 1844 has now come into operation; and if its restrictions apply to this loan, should the Bank be again placed in the same position as in October last, the Chancellor may find it impossible to seek accommodation in the usual way; or, if he obtains it, it will be at the price of compelling a refusal of that accommodation required to be given by the Bank to commercial houses in the form of discounts. This furnishes an additional example of the risks which that Act of 1844 is calculated to produce in certain cases, though in cases which I earnestly hope may not be considered as very likely to recur. I have spoken hypothetically, and have suggested a doubt whether the restrictions of the Act of 1844 do apply to this Bill. My own confident belief, however, is that they do not apply, but that this Bill is a practical repeal, or at least a suspension of that Bill, so far as the 2,000,000*l.* proposed to be borrowed are concerned. My noble Friends are no doubt astonished at this statement; they are unconscious of their own measure. They

> "Never felt what they were doing;
> Never dreamt of such a thing."

If they look at sec. 4, of the present Bill, they will see that the Bank is authorised to make advances to the Treasury on the bills permitted to be issued—"any Act or Acts in anywise to the contrary notwithstanding." Now, let me assume a case in which the Bank reserve was wholly exhausted, or fell below 2,000,000*l.* If the Chancellor of the Exchequer required an advance of 2,000,000*l.* of bank notes, under such circumstances, that advance would appear to be repugnant to the Act of 1844. But this Bill would nevertheless justify such advances, "any Act to the contrary notwithstanding." Therefore, under such supposed circumstances, the Bill absolutely repeals the restrictions of that memorable statute of which my noble Friends have been such strenuous and generous champions. In dealing with the question of our finances, I cannot omit touching upon one subject inseparably bound up with this question—I mean the liabilities the public are under to the depositors in savings' banks. I am the more reminded of this, as a Bill respecting savings' banks stands for the third reading this evening. We must never lose sight of the peculiar exigency of that engagement. It differs wholly from the responsibility we assume in relation to the remaining portions of the public debt. The 3 per cents are transferable, but not payable on demand. Exchequer-bills are transferable likewise, and, though payable on demand, yet that is only at certain times, and under established conditions—all being protections to the public which issues the bills. The savings' banks deposits, on the contrary, are not transferable; and with much facility they become debts payable on demand. This distinction is of the utmost importance. Far is it from me to suggest that the security to the depositors is not as perfect as any the public can give, or the depositors can require. But still we are bound to weigh well the consequences of this engagement as affecting the public. I know that this subject was one which pressed heavily on the mind of the ablest of our commercial and financial

Ministers, Mr. Huskisson. I am convinced that this liability would not have been incurred by Parliament in 1817, had any one foreseen at that time the enormous extent to which the deposits in savings' banks have since been carried. At the outset 500,000*l.*, or 1,000,000*l.* would have perhaps been the maximum amount of deposits contemplated as probable by the most sanguine. At present the deposits exceed 30,000,000*l.* I am inclined to think that the whole subject requires the most careful and immediate attention of Parliament, with a view of considering whether, when the deposit reaches a given amount, the public liability might not advantageously be satisfied by a transfer to the depositor of a proportionate amount of stock, the State still continuing, if it were thought fit, to act gratuitously as the broker for the depositor, reinvesting the interest when required, and transferring the stock when sold. The depositor would thus become an ordinary stockholder, and the liability to pay on demand would be lessened, with a corresponding increase of security to the public. I cannot close these observations without some remarks on the present state of Ireland, and on the renewed calamities which seem unhappily to be impending over that country. The famine—for so it is now recognised to have been—produced some of our financial embarrassments in the two last years. Their recurrence may again lead to similar results. At the outset, the extent of that calamity was unfortunately not appreciated by a great and powerful party in this country. They were led astray, and induced to suspect that it was greatly exaggerated by Irish witnesses, in order to strengthen their demands on the public purse, and exaggerated also by the Government of the day, with a view of carrying their free-trade measures through Parliament. Both suppositions were unfounded. The delusion has been dispelled by the fearful reality. But the peril of a renewed failure is imminent at present. I have understood from declarations made elsewhere, that Ministers hold themselves pledged to call Parliament together at an early time, should the exigencies of Ireland render it necessary to do so. This is but right, for it should be remembered that nothing has been as yet done to meet this misfortune, should it arise. It is important that such a declaration should be here repeated. I should deprecate raising any more general discussion on the present occasion, on the distresses of Ireland. Evil rather than good is too frequently the consequence of premature debates on subjects of this nature. I am satisfied to leave the responsibility with the Government, at the same time requesting my noble Friend (Lord Lansdowne) to communicate, as far as he can do so without indiscretion, the import of any communications which he has received respecting the harvest and the potato crop. I should hardly have ventured even to make this inquiry, but that the silence of Peers connected with Ireland, in a case where the very existence of our people is at stake, might be condemned in a country where everything is liable to misconstruction, or rather to misrepresentation. Silence would be interpreted as marking a culpable indifference where human lives are at risk. The great experiment of the working of the poor-law, and more especially the system of outdoor relief for the ablebodied, is now in progress. To that measure I expressed, at the time, my strong objection. I pointed out what I considered to be its error in principle—its danger in practice. In those objections I was strongly supported by the weight and authority of men in all respects my superiors, and infinitely better entitled to influence the deliberations of your Lordships. I allude more especially to my most reverend and noble Friends the Archbishop of Dublin, and the Earl Fitzwilliam. I am not disposed to withdraw or retract any one of those former objections. I see no reason to abandon any of those opinions. On the contrary, they are confirmed by what has occurred, and by what is still going on. The description given in another place by the Chancellor of the Exchequer of the state of Erris, confirms all my worst forebodings. But I will not at the present enhance the difficulties of the question, or the difficulties of those who administer this law by any adverse discussion. I have carefully abstained from doing so during the present Session, unless when actually compelled to interfere, as by the issue of the poor-law circular on Mr. Gregory's clause, or by that most unjust mode of proceeding in the superior courts of law, in cases where a cheap and summary remedy might have been resorted to. I shall abide by the issue of the experiment, and by the future result of that Parliamentary inquiry which is promised in the ensuing Session. Experience will then settle the question, and decide between the disputants. But I may say, in passing, that those are greatly deceived who think that the local charges of Ireland are light, or capable of being borne in many districts. The supposition is founded on an entire ignorance, or misconception, of the facts of the case. On the contrary, the burdens now cast on Irish real property, for the purpose of poor-law relief, infinitely exceed any similar local charge levied on England even in the times of the greatest distress. Of course I mean to compare the taxation in both countries, with the amount of property in each, on which that taxation is imposed. And this brings me to my closing observation. I have observed with pain that, whilst the sufferings of Ireland have drawn forth, very generally, throughout this island the deepest sympathy, leading to the noblest sacrifices—generous sacrifices, which can never be too gratefully remembered —by which hundreds and thousands have been saved from instant death, there has arisen among the shallow, the impatient, and the superficial, an absurd notion that Great Britain might advantageously sever the connexion between herself and her western neighbour. I have witnessed with astonishment the formation of a band of English repealers, who talk almost as much nonsense as their colleagues in Confederation Hall. They are alike ignorant of what is due to the honour, the safety, and the industrial interests of the empire. They forget that though Irish distress has cost the empire millions, yet that the empire has also derived millions from Ireland. They forget that the balances of revenue actually remitted to the Imperial Exchequer from Ireland, and applied here, after payment of dividends and the payment of Irish charges, civil and military, have, from 1831 to 1847, exceeded nine millions and a half sterling.* They forget, or are ignorant, that, notwithstanding the most deplorable distress, the revenue of Ireland has not fallen off to any great degree, as is manifest from the following account:—

NET IRISH REVENUE ACTUALLY PAID INTO THE EXCHEQUER.

1845-6	... ...	£4,561,000
1846-7	... ...	4,546,000
1847-8	... ...	4,310,000

And during those very same years the repayments of advances made from the Treasury, so far from diminishing, even in proportion to the diminution of the revenue, have actually increased as follows:—

REPAYMENT OF IRISH ADVANCES.

1845-6	... ...	£307,000
1846-7	... ...	312,000
1847-8	... ...	293,000

I have now only to repeat my apologies for this intrusion on your Lordships' time, which nothing but a sense of public duty would have justified, and to express a hope that neither in the tone nor in the substance of my observations has there been any thing to prejudice the public interest, or any observation of which the Government can with justice complain.

The MARQUESS of LANSDOWNE did not complain either of the substance or of the temper of the speech of his noble Friend. The Bill, he admitted, was one of the utmost importance, yet still it was one to the passing of which, under present circumstances, no one could object. By the occurrence of a series of unfortunate circumstances they had been compelled to borrow, and they would not have done their duty to their country if they had not brought forward this proposition. They had been compelled to adopt this course by the great indisposition which had been manifested by the public, both within and without the walls of Parliament, to bear the burden of increased taxation. He admitted the necessity of practising to the utmost the most rigid economy; but he contended that at present it was impracticable to bring their expenditure within the limits of their income by any cutting down of establishments only. It was impossible to make any diminution in the naval or military establishments of the country; and sooner than consent to make a sacrifice of this nature, which they felt would be to the detriment of the country, Her Majesty's Ministers would resign the conduct of affairs into other hands, and thus relieve themselves from the responsibility of making the sacrifice. Many of the burdens of which they now complained had been for years accumulating—many were of a merely temporary nature—and many had been forced by Parliament upon an unwilling Government. But he looked forward with a confident hope to the future, as the Government was determined to incur no expenses except such as were absolutely necessary for the public service. Then with regard to the method proposed to be adopted for raising this money. It was a method to which recourse had been had on former occasions, and which was best calculated to meet a case of uncertainty like the one with which they now had to deal. It would permit the Chancellor of the Exchequer to go into the money market at the time which he thought the most requisite, and under the circumstances which he might deem the most favourable; and, as a proof of the feeling among monied men on the subject, he would observe that on the day following the announcement that the Chancellor of the Exchequer meant to borrow—and that he meant to borrow in that particular mode —there was a marked rise in the funds. He believed that this power was necessary for the Chancellor of the Exchequer in the present financial condition of the country. In the midst of much occasional distress—a temporary diminution of our commercial prosperity—the result of which had been the necessity of the present measure, he nevertheless believed that there never had been a period in which the commercial, manufacturing, and financial prosperity of the country was in a sounder state; and, though there had been much distress, there was every ground for an enlarged confidence and hope for the future. It would be the imperative duty of the Government to attend to the state of distress in Ireland, and no pains would be spared by the Government or by the Lord Lieutenant to make themselves acquainted in detail with all the facts connected with that subject. But until they knew the whole extent of the mischief done to the potato crop, it would be impossible for him to say, even hypothetically, that distress would fall upon the Irish people of a nature to demand the attention, the assistance, and the interference of Parliament. All the advices which had been received during the last week as to the state of the potato crop were comparatively more favourable, and stated that the potatoes were not so universally affected as had been supposed. It was only that day that he had received accounts that the affected potatoes had put forth fresh appearances, and given indications of recent growth. He could assure his noble Friend that the state of Ireland would engage the daily attention of Her Majesty's Government until the next meeting of Parliament.

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* Appen. Col. Report, No. xix., p. 145.

Bill read 3ª and passed.

NORTH WALES RAILWAY.

Lord MONTEAGLE rose to bring under the notice of their Lordships the refusal of the Chairman and Secretary of the North Wales Railway, Mr. William Chadwick and Mr. John Marriner, to obey the order of their Lordships' House. An order had been made by their Lordships for the production of certain accounts and papers relative to this railway, which was duly served on these parties. No return was, however, made to the order, and, having given notice that he would move that these parties should be called to the bar, he received a written communication promising that the returns should be made, and that the parties were prepared to give the accounts he required. Up to the present moment their Lordships' order was still disobeyed, and the parties in question who had been ordered to attend the House had not done so. The proper course, he believed, would be to inquire whether the parties were in attendance, and then, if they were not, to call for the officer of the House who had served the notice.

Lord CAMPBELL said it would be necessary for his noble Friend to prove that the order requiring the attendance of these parties had been personally served upon them.

The LORD CHANCELLOR inquired whether John Marriner and William Chadwick, Chairman and Secretary of the North Wales Railway, were in attendance?

The Deputy Usher of the Black Rod:—I understand, my Lord, that they are not.

Samuel Lethbridge, one of the doorkeepers of their Lordships' House, who was instructed to serve the order requiring the attendance of the parties, was then examined, and stated, in reply to questions from the Lord Chancellor, that he had not served the parties personally in consequence of their absence from home.

Lord CAMPBELL believed that when there was any reason to suppose that parties went out of the way in order to avoid being personally served with the order of their Lordships' House, the personal service might be dispensed with. But neither of these parties might be aware of the order of the House. Their servants might have neglected to forward the orders, and it might be the desire of these parties to comply with the order of the House.

Lord MONTEAGLE said, it was quite clear that these parties had intentionally disobeyed their Lordships' order, and that their resistance was founded on a misapprehension of their Lordships' powers, which these parties thought expired with the Session, whereas the powers of that House, unlike those of the other House of Parliament, extended throughout the recess.

After a few words from the Marquess of LANSDOWNE and the LORD CHANCELLOR, who were of opinion that it would be desirable that their Lordships should take no steps until the parties had been personally served,

Then it was ordered, that the said Chairman and Secretary do attend at the bar of this House to-morrow at Twelve o'clock.

House adjourned.

HOUSE OF COMMONS,

Monday, September 4, 1848.

MINUTES.] NEW WRIT.—For Bolton, *v.* William Bolling, Esq., deceased.

NEW MEMBER SWORN.—For Horsham, Right Hon. Lord Edward Howard, *v.* William Robert Seymour Fitzgerald, Esq., not duly Elected; for Leicester, Richard Harris, Esq., and John Ellis, Esq., who, being one of the People called Quakers, made the Affirmation required by Law.

THE CHELTENHAM ELECTION COMMITTEE.

SIR W. CLAY said: I beg leave to move that the evidence taken before the Select Committee on the Cheltenham Election Petition, together with the proceedings, be printed. In doing so, I trust the House will allow me to allude to a very extraordinary attack which has been made, impugning the decision of that Committee, of which I had the honour to be Chairman—an attack not only upon the decision of the Committee, but also upon the character of the Members of that Committee. In the few observations with which I am about to trouble the House, it is my intention to abstain from all comment upon the expressions used in the speech of Mr. Craven Berkeley to a public meeting at Cheltenham which applied personally to myself. I was absent from town on Friday, and it was not till the afternoon of that day that I received a paper, in which I saw the report of that speech; I immediately came to London, but the House had already adjourned. It has been the opinion of the friends, of high and unquestioned honour, in whose hands I thought it right to place myself, that as the expressions of which I think I have a just right to complain, were used towards me in consequence of a decision to which I had come when sitting in a judicial character under the instructions of this House, I was not justified in taking notice of those expressions otherwise than in this House, and in my character as a Member of this House. Being thus precluded by opinions to which I feel bound to defer, and not having the opportunity of noticing those expressions elsewhere than in this House, I shall not avail myself of my privilege as a Member of the House to make a single comment upon the expressions personal to myself used by Mr. Craven Berkeley. I leave it to the friends who have known me for many years—I leave it to this House—to decide whether I am deserving of the terms which a Gentleman with whom, as a Member of this House, I have been for many years in habits of friendly intercourse, has thought right to use towards me, because I, acting under the instructions of this House, and sitting as a judge, had come to a decision, to the best of my ability, but at all events conscientiously, upon the matter entrusted to my consideration. Waving, therefore, all allusion to myself, I still feel it to be my duty as Chairman to call the very serious attention of the House to the position in which not that Committee alone, but the House itself, is placed, by an attack made upon the Committee at a public meeting by Mr. Craven Berkeley. The decision of that Committee was stated to be unfair, iniquitous, and unjust; it was also stated that one of the Members of the Committee had been in consultation with the counsel of the petitioners—the persons who petitioned against Mr. Berkeley's return; and that another of the Members had entered the Committee with his mind already made up. It is my duty, as Chairman of the Committee, to give my unqualified contradiction to those assertions. I believe that the decision of the Committee was just and legal; I believe that no judicial Committee could have come to any other decision upon the evidence which was before us. But it is immaterial whether our opinion was sound or unsound; the real question is, was the decision honest or not? Now, I declare, upon my honour, that I never saw men who appeared—it is impossible to read the heart of another—to understand more perfectly the merits of a case, or to be more determined to decide as became men of honour, and having regard to the oath we had taken. On the two decisions which respected Mr. Craven Berkeley, one favourable to him, the other adverse, the Committee were unanimous: the one, that we did not think the evidence bore out the charge of bribery; the other, that we thought that by his agents he was guilty of treating; and if any stranger could have come into the room during our deliberations, I would have defied him to discover, by any word that was spoken, or by even the least indications of manner, what were the politics of the respective Members of the Committee. I do think it is hard that men who have patiently and assiduously laboured to arrive at a just and conscientious decision, should be exposed to this species of attack; and not from a man low in station, unconscious of the offence he is committing, but a gentleman who had the honour of a seat in this House, and because it was our painful duty, upon the evidence before us, to deprive him of that seat. It seems to me that though we, the Committee, may feel interested in this matter, the House has also a deep interest in it. The House devolves upon Members of a Committee a most grave and arduous duty; it is most important, both for the reputation of the House and for the best interests of the country, that the decisions of these Committees should be given fearlessly, honestly, and conscientiously. The anxiety and responsibility already devolving upon those Members are very serious; and precisely as a man is worthy to sit on such a Committee, he must feel the more deeply that anxiety and responsibility. If, in addition to that, Members serving on these Committees are to expect to be exposed subsequently to obloquy—if they are to be held up to the country as men forgetful alike of their character and their oath—you will either have men refusing to perform those duties, or you will be subjecting them, in addition to the anxiety and responsibility already borne, to a penalty which you have no right to impose—the heaviest penalty you can impose upon a gentleman—the liability to be held up before his fellow-citizens and the public as one who forgets his character as a gentleman, and the obligations cast upon him. With these observations I leave the matter in the hands of the House. I know not whether this is a question of privilege—I know not whether Mr. Craven Berkeley has been guilty of a breach of our privileges; if he has, I would not urge any harsh or vindictive steps against him; I would admit that there is much allowance to be made for his painful position, and the excitement under which he probably spoke. But I do think that this House ought, by some resolution, by some formal step, to express its disapprobation of the course that a Gentleman, who has been a Member of this House, thought fit to take; and, at all events, I hope the House will give to us, the Members of the Committee, the consolation of feeling that, at least in the opinion of this House, we have conscientiously, and to the best of our ability, discharged the duty which the House thought fit to impose upon us.

LORD J. HAY: Having been one of the Friends alluded to by the hon. Baronet (Sir W. Clay), I think it my duty to state to the House—a duty I owe also to my hon. Friend—that, having been consulted by him to preserve his honour in the course which it would be proper for him to take, and having given my best consideration to the speech said to having been made by Mr. Craven Berkeley at Cheltenham, I unhesitatingly came to the decision that my hon. Friend was not justified in seeking private redress for an indignity offered to him when in the discharge of a public duty in the Committee upstairs. But, anxious as I was, not being sufficiently acquainted with the forms of the House, to guide my Friend in the true path of honour, I appealed to the opinion of a noble Friend of mine, a most distinguished military officer, who, taking the case into his consideration, came with myself to the opinion I have already stated to the House, that my hon. Friend would not be justified in seeking private redress for the indignity offered to him in that speech of Mr. Berkeley at Cheltenham.

VISCOUNT PALMERSTON: I am sure the House will think that it required no explanation from my hon. Friend, and no vindication, to prove to this House and to the country that the attack made upon him by Mr. Craven Berkeley had no foundation whatever, and is perfectly undeserved. In regard to the course which my hon. Friend thinks that this House might take upon the subject, I would venture humbly to submit to him and to the House, that under all the circumstances of the case it might be a sufficient satisfaction to himself and to the other Members of the Committee, whose conduct on this occasion is impugned, that this House has shown by the most general, and, indeed, universal expression of opinion on the part of all the Members present, that it considers there is no foundation for the charge, and that therefore their characters and conduct stand perfectly unimpeached by anything that may have passed in relation to the matter. I am persuaded that any friend of Mr. Berkeley's whom he may consult upon the subject, will tell him that the course which he was led in a moment of irritation to pursue, strikes at the root of the administration of justice in this country, and is one therefore which it is unfitting to any person, however irritated and however mortified at the moment, to pursue. It is obvious, that if those who, either as Members of this House or of any other court of justice, pronounce, according to the best of their judgment, decisions upon cases which come before them, are liable to be personally attacked by disappointed parties in consequence of the honest and conscientious discharge of their duties, the sources of justice in this country will be poisoned; and it is impossible to expect that men will administer their judicial functions with that impartiality, that uprightness, that fearlessness, which it is essential to have on all occasions preserved in our tribunals. I should hope that the unanimous expression of opinion which has been drawn forth upon this subject, would, on the one hand, tend to show Mr. Berkeley that he is in error in the course which he has pursued, and may on the other hand satisfy the feelings of my hon. Friend and the other Members of the Committee.—Motion agreed to.

OFFICIAL RETURNS.

Lord G. BENTINCK had given notice of his intention to move for returns of the entries of British West India sugar, &c., as reported in the Customs Bill (A) of entry, because it had been said, the other day, that he had found a "mare's nest." If any Member of the Government, however, would get up and say that his statement was correct, he would not ask for the returns.

Mr. PARKER was sorry that his right hon. Friend the President of the Board of Trade was not present; but he believed that the statement made by the noble Lord was correct, and that the statement made by the Board of Trade was equally correct. Both sides were right, the returns having been made up in two different ways.

Lord G. BENTINCK did not see how it was possible for both statements to be correct; but he was satisfied with the acknowledgment that his own was accurate, and therefore he would not press for those returns.

House adjourned at Seven o'clock.

HOUSE OF LORDS,

Tuesday, September 5, 1848.

Minutes.] *Received the Royal Assent.*—Exchequer Bills; Consolidated Fund (Appropriation); Copper and Lead Duties; Slave Trade (Muscat); Local Acts; West India Colonies and Mauritius; Fever (Ireland); Taxing Masters, Court of Chancery (Ireland); Savings Banks (Ireland); City of London Sewers.

NORTH WALES RAILWAY COMPANY.

The Yeoman Usher of the Black Rod acquainted the House, that William Chadwick, Esquire, the Chairman, and John Marriner, Esquire, the Secretary of the said Company, were not in Attendance (pursuant to the Orders of this House of Yesterday); whereupon the Deputy Serjeant at Arms was called in, and examined as to the Service of the said Order upon William Chadwick, when he stated that he had not served the said William Chadwick personally, in consequence of his being at Liverpool, but had executed the said Service upon his Son; and then Samuel Lethbridge (one of the Doorkeepers), was called in, and examined as to the Service of the said Order upon John Marriner, when he stated that he had not served the said John Marriner personally, in consequence of his being out of Town, but where, his Family did not know.

Lord MONTEAGLE said, that under these circumstances the arrest of the two above-named individuals for non-attendance would not be warranted, personal service not having been sufficiently proved, although he held a letter in his hands from one of the parties, acknowledging the receipt of the summons, and promising compliance with it. He, therefore, moved an order for the attendance of these two individuals on the first Monday after the meeting of Parliament in the ensuing Session, and that they be directed to produce at that time the Papers ordered by this House on the 3rd of August last; together with an Account of all Receipts and Disbursements of the North Wales Railway, during the Year 1848.

Lord CAMPBELL conceived that under the circumstances all that could be done was to agree to the Motion of the Lord, which, though slow, would be sure.

Motion agreed to.

PROROGATION OF THE PARLIAMENT.

This day being appointed for the Prorogation of the Parliament by Her Majesty in person, the necessary preparations were made for Her Majesty's reception.

Her Majesty entered the House, accompanied by the Prince Albert and by the Great Officers of State, about twenty minutes after One o'clock; and being seated on the Throne, and the Commons (who were sent for) being come with their

Speaker, he made the following Speech to Her Majesty:—

"MOST GRACIOUS SOVEREIGN,

"We, Your Majesty's faithful Commons of the United Kingdom of Great Britain and Ireland, attend Your Majesty, after a protracted and laborious Session, with our last Bills of Supply.

"After a most patient and careful examination of the Estimates, which, by your Majesty's commands, were laid before us, we have made every practicable reduction in the public expenditure, at the same time that we have had regard to the financial state and prospects of this country as affected by the commercial embarrassments of the past year, and by the interruption of trade consequent upon the late political events in Europe. We have taken every precaution to secure the efficiency of all the departments of the public service.

"In obedience to Your Majesty's most gracious recommendation, which was communicated to us by the Lords Commissioners at the commencement of the Session, our attention has been specially directed to measures relating to public health. It is impossible to overrate the importance of a subject so deeply affecting the comfort and happiness of the poorer classes; and we confidently hope that if the measures which have been passed are carried out in the same spirit in which they have been framed, they will greatly tend to lessen the amount of human suffering, and to promote the moral improvement as well as the contentment of the labouring classes in densely populous districts.

"Not unmindful of the condition of Ireland, nor of the distressed state of the poor in that country, owing to the limited demand for labour, we have provided additional funds, arising from the repayment of previous loans, to be expended on public works; and we have also removed the impediments to the sale of encumbered estates, in order to encourage, as much as possible, the application of capital to the improvement of land.

"The spirit of insubordination which has prevailed in various parts of the country, especially in Ireland, has forced upon our consideration topics of a grave and far more anxious character. We have cordially concurred in those measures which have been thought necessary to secure obedience to the laws, and to repress and prevent outrage and rebellion.

"Deeply sensible of the value of those institutions under which we have the happiness to live, no effort on our part has been wanting to preserve them from the evil designs of misguided men, who, taking advantage of a season of temporary distress, have endeavoured to excite discontent and insurrection.

"We have witnessed with gratitude and proud satisfaction the unequivocal expression, on the part of the great mass of the people of these realms, of attachment to their Sovereign and respect for the law; and we, as their representatives, participating to the fullest extent in these feelings, now tender to Your Majesty the sincere expression of our devotion and loyalty."

And the Royal Assent having been given to several Bills, HER MAJESTY was then pleased to make a most Gracious Speech to both Houses of Parliament; as follows:—

"*My Lords, and Gentlemen,*

"I am happy to be able to release you from the Duties of a laborious and protracted Session.

"The Act for the Prevention of Crime and Outrage in *Ireland*, which received My Assent at the Commencement of the Session, was attended by the most beneficial Effects. The open Display of Arms intended for Criminal Purposes was checked; the Course of Justice was no longer interrupted; and several atrocious Murderers, who had spread Terror through the Country, were apprehended, tried, and convicted.

"The Distress in *Ireland* consequent upon successive Failures in the Production of Food has been mitigated by the Application of the Law for the Relief of the Poor, and by the Amount of charitable Contributions raised in other Parts of the United Kingdom.

"On the other hand, organised Confederacies took advantage of the existing Pressure to excite My suffering Subjects to Rebellion. Hopes of Plunder and Confiscation were held out to tempt the distressed, while the most visionary Prospects were exhibited to the ambitious. In this Conjuncture I applied to your Loyalty and Wisdom for increased Powers; and, strengthened by your prompt Concurrence, My Government was enabled to defeat, in a few Days, Machinations which had been prepared during many Months. The Energy and Decision shown by the Lord Lieutenant of *Ireland* in this Emergency deserve My warmest Approbation.

"In the Midst of these Difficulties you have continued your Labours for the Improvement of the Laws; the Act for facilitating the Sale of Incumbered Estates will, I trust, gradually remove an Evil of great Magnitude in the Social State of *Ireland*.

"The System of perpetual Entails of Land established in *Scotland* produced very serious Evils both to Heirs of Entail and to the Community, and I have had great Satisfaction in seeing it amended upon Principles which have long been found to operate beneficially in this Part of the United Kingdom.

"I have given My cordial Assent to the Measures which have in view the Improvement of the Public Health, and I entertain an earnest Hope that a Foundation has been laid for continual Advances in this beneficent Work.

"*Gentlemen of the House of Commons,*

"I have to thank you for the Readiness with which you have granted the Supplies necessary for the Public Service.

"I shall avail Myself of every Opportunity which the Exigencies of the State may allow for enforcing Economy.

"*My Lords, and Gentlemen,*

"I have renewed in a formal Manner My Diplomatic Relations with the Government of *France*. The good Understanding between the Two Countries has continued without the slightest Interruption.

"Events of deep Importance have disturbed the internal Tranquillity of many of the States of *Europe*, both in the North and in the South. These Events have led to Hostilities between neighbouring Countries.

"I am employing My good Offices, in concert with other friendly Powers, to bring to an amicable Settlement these Differences; and I trust that our Efforts may be successful.

"I am rejoiced to think that an increasing Sense of the Value of Peace encourages the Hope that the Nations of *Europe* may continue in the Enjoyment of its Blessings. Amidst these Convulsions I have had the Satisfaction of being able to preserve Peace for My own Dominions, and to maintain our domestic Tranquillity. The Strength of our Institutions has been tried, and has not been found wanting. I have studied to preserve the People committed to My Charge in the Enjoyment of that temperate Freedom which they so justly value. My People, on their Side, feel too sensibly the Advantages of Order and Security to allow the Promoters of Pillage and Confusion any Chance of Success in their wicked Designs.

"I acknowledge with grateful Feelings the many Marks of Loyalty and Attachment which I have received from all Classes of my People. It is My earnest Hope that by cultivating Respect to the Law, and Obedience to the Precepts of Religion, the Liberties of this Nation may, by the Blessings of Almighty God, be perpetuated."

Then the LORD CHANCELLOR, by Her Majesty's Command, said—

"My Lords, and Gentlemen,

"It is Her Majesty's Royal Will and Pleasure that this Parliament be prorogued to Thursday, the Second Day of November next, to be then here holden; and this Parliament is accordingly prorogued to Thursday, the Second Day of November next."

Her Majesty and Prince Albert, accompanied by the usual Royal attendants, then retired, and the rest of the assembly shortly after separated.

HOUSE OF COMMONS,

Tuesday, September 5, 1848.

Minutes.] New Member Sworn.—For Cheltenham, Charles Lennox Grenville Berkeley, Esq.

Petitions Presented. By Mr. T. C. Anstey, from Thomas Ford, a Prisoner in the Queen's Bench Prison, praying for an Inquiry into his Case.—By Mr. Hume, from George Crouch, of No. 3, Tudor Street, Blackfriars, respecting the Conduct of the London and North Western Railway Company.

ATTENDANCE OF JUDGES AT CHAMBERS.

The ATTORNEY GENERAL said, the House would recollect, that on Friday, in answer to a question put to him by the hon. Member for Youghal (Mr. Anstey), he had read a letter from Lord Chief Justice Wilde, relative to the attendance of Judges at Chambers. On his (the Attorney General's) arrival in town this morning he found a letter from Mr. Justice Coleridge, expressing his views on the subject, which that learned Judge had requested him (the Attorney General) to make as public as possible. With the permission of the House he would therefore read the letter, which was in these terms:—

"My attention has been called this morning to the *Times*' report of a speech made by you, and a letter from the Lord Chief Justice of the Common Pleas read by you in the House of Commons, on Friday last. I am personally interested in both, because, if the view then presented be correct, I am the judge now in default, and who ought to be in attendance at chambers. Having seen no authorised copy of the letter, it will be better for me to make no direct comments on what may be an incorrect report, but to state, as accurately as I can from recollection, the facts of the case."

Although he (the Attorney General) had not seen the report to which the learned Judge referred, he had reason to believe that the letter had been accurately given. Justice Coleridge proceeded:—

"I have this advantage, that I was present at the meeting referred to, took part in the discussion, and have had occasion to refresh my memory on the subject. It is perfectly correct that until 1838 it was not considered the duty of any judge to attend in town during the long vacation. At a meeting of the Judges, either in that year or the preceding winter, the subject was taken into consideration, and a resolution was come to, that, for the future, the junior judge who had not once performed the duty should, in every year, undertake the attendance at chambers during the long vacation. In the course of the discussion it was distinctly considered whether the Chief Justices and Chief Baron should attend in turn, and it was, without any division, resolved in the affirmative, on the ground that, as we were all undertaking a new duty—incumbent on none of us when appointed—there was no reason for exempting them; and the rather as they in their turn, and according to seniority only of appointment, claimed to take the chamber business during the circuits; the practice as to both having grown out of the same circumstance, the appointment of three additional judges. Lord Denman and the late Lord Chief Justice Tindal were both present, and, speaking from recollection, I am certain that neither of them expressed any dissent. Lord Abinger was not present, and he did dissent from the whole resolution, and declared that he would not be bound by it; not, however, because he took any distinction between the chiefs and the puisne judges, but because he thought that some recreation and cessation from labour was necessary for every judge in every year; and that he was not called on to add spontaneously to the duties which he had undertaken on his appointment. He died before it came to his turn, and whether he would have adhered to his resolution, of course, cannot be known. I was not aware that any judge who was present at the framing of the rule had ever expressed a doubt as to its construction or operation; and I had only heard in so vague a way, before the circuit, of the Lord Chief Justice of the Common Pleas questioning it, as to make me think it possible he might take the opinion of the Judges on it. This not being done, I concluded that no difficulty would be made. I left town under that impression, nor was I informed until the end of the circuit that the chambers would be left unprovided. When, according to a plainly expressed rule, my turn shall come, I trust I shall not be found absent from my post. At present I say nothing of the exhaustion consequent on a laborious circuit, because I am unwilling, by acquiescence in the view which the Lord Chief Justice takes of it, to affect the interests of the puisne judges in a matter of no small importance to their comfort and health. I should be obliged to you in your place to give this communication the same publicity which you have given to the letter of the Lord Chief Justice, and I shall send a copy of it to the Lord Chancellor."

It appeared, from this letter, that Mr. Justice Coleridge was of opinion that the resolution to which he referred bound the Chief Justices as well as the puisne judges. This was, however, a matter to be settled by the Judges themselves; and he could only express a hope that they would take care the public suffered no inconvenience while they were engaged in determining what course they would adopt.

DEMERARA.

Mr. HUME begged to ask the Under Secretary for the Colonies whether any measures had been taken in consequence of the Combined Court at Demerara having separated without voting any supplies beyond the 30th of September?

Mr. HAWES replied, that the period for which the Court had voted supplies had not yet expired, and that, therefore, no deficiency had occurred. The determination of the Combined Court to vote supplies only for a certain time appeared to have arisen from their dissatisfaction at Earl Grey's refusing his assent to certain reductions of expenditure which they had proposed. That noble Lord had, however, stated most distinctly to the Lieutenant Governor of British Guiana that he would be ready to give his most earnest attention to any well-considered system of reduction and economy which had been calmly prepared, with something like discrimination and justice, but that he certainly could not sanction an indiscriminate resolution for reducing the salaries of all officials 25 per cent, without any regard to the nature of the duties they had to perform.

Mr. HUME said, a specific resolution had been proposed to reduce the salary of the next Governor from 5,000*l.* to 3,500*l.*, and upon that the whole question turned.

PROROGATION OF THE PARLIAMENT.

Message to attend Her Majesty; the House went; and the Royal Assent was given to several Bills; after which Her Majesty was pleased to make a Most Gracious Speech from the Throne, to both Houses of Parliament.

THE END OF SESSION 1848.

APPENDIX.

APPENDIX.

SPEECH OF THE RIGHT HONOURABLE LORD BROUGHAM, ON THE "BUSINESS OF THE SESSION."—Tuesday, July 20, 1847.

(See Vol. XCIV. p. 570.)

Lord BROUGHAM: My Lords, I rise according to the notice which I have given, to bring before the House a subject of the last importance—I mean the course pursued by the Government and by Parliament during the Session now so near its close; and in proposing this grave matter to your Lordships, I hardly feel it necessary to refer to my past conduct during that Session, from the first to the last, in order to show that I have not been actuated by any desire of pertinacious opposition. I have given my support to measures which I believed to be for the advantage of the country, without any regard whatever to those who proposed them; and, when I have resisted some things, to which, upon deliberate consideration, I could not consistently lend my support, I have either abstained from debating them altogether, that I might not be charged with taking a factious course; or when I have debated them, it was only in cases where I felt I had no right to suffer the measures to pass in silence. I therefore think I have a right to claim from your Lordships a belief in the assurance I now make, and with which I preface my present address to the House—that I am not actuated by any factious design or party feeling whatever, but that I am about to speak for what I hold to be the interests of the country in the highest branch of its concerns—the legislation of the realm. In bringing under the view of your Lordships, therefore, before you separate, the course which legislation has taken during the past Session, I do it without meaning to bring any vague or general complaints —still less with the design of casting blame on the Government. Much that I complain of was inevitable, and was incidental to the circumstances of the country; much might have happened under any Administration; and even where to blame becomes unavoidable, I shall do so with reluctance, limiting my censures by the necessity of the case. But, also, I repeat, that I wish not to indulge in vague and idle regrets, any more than in vehement invective. My object is practical; I desire, from examining the past, to gather lessons for the future, turning our experience to our advantage, and extracting profit from the loss of time we have sustained, so that it may be rendered impossible the country should ever again be visited with the calamity of such another Session; a Session which, both for the signal failures in attempting to do right, and for a grievous success in the wrong direction, very far exceeds any of which our Parliamentary history has preserved the record.

I will begin, with the leave of your Lordships, by adverting to what forms a very small part of my present contemplations—by pointing your eyes to a very limited portion of the canvas we are about exploring—I mean the measures which actually have been adopted. I was about to say that these unhappily occupy a most insignificant space. But I can use no such expression. On the contrary, I cannot cast my eyes towards them, and not feel very thankful that they are few in number—so evil and pernicious is their quality—so injurious their whole tendency. They, however, claim a precedence in discussing business of the Session; they at least are real, substantial existences, how hurtful soever their being called into life may prove. With all possible respect for measures which have obtained the sanction of Parliament, I must freely declare my fixed opinion, that never have worse laws, very seldom as bad laws, been made by any Parliament. But it is not my wish to drag your Lordships again through the argument on those Bills, all of which I fully discussed in their progress through the House, and unsuccessfully resisted. Still I must make mention of them as a faithful historian of the Session.

First, there is the new plan for administering the poor-law in England. Upon this, and its most certain and most injurious tendency to make the whole of that administration matter of political and of party controversy from day to day, I will comment no further than to say, that the very existence of this new system, after being established thirteen years ago, depends upon the selection of the Minister who is placed at the head of the department. Two qualities he must possess, and for these he must be eminently distinguished. He must be endowed with the capacity of explaining and defending the measures of the Board in Parliament, and he must be a person of perfect firmness as well as sound judgment; but especially of firmness, because, though the judgment of his colleagues may aid his own, yet upon him it will mainly fall to stand the brunt of all opposition, both without doors and within; and everything will depend upon his being a person incapable of yielding to the clamour, or being deterred from the discharge of his duty by the unwearied abuse with which he may be assailed.

The Irish Relief Bill next claims our attention; and certainly I, for one, have never been able to see the wisdom—nay, nor the possibility—of any Government taking upon itself the task of feeding the great body of the people. But this we have done in Ireland; and if you tell me that the distress is local, being confined chiefly to six counties, yet I find that no fewer than 2,900,000 and odd persons are now sustained, actually fed, by supplies drawn from the scanty resources of the people of this country, and doled out by Government officers appointed to distribute their food. This we are told is to cease. But when? I confess that I look forward with deep alarm to the cessation of that relief—alarm for the peace of the country; for I have always thought it one of the worst characteristics of the perilous course on which we have entered that it could not possibly last long, because the means of continuing it are necessarily limited. If, then, the distress continues, and if the resources should become exhausted, as they undoubtedly must, and relief should cease, the result would be not only that we have put off the evil day, but that we have made things worse by increasing the number of applicants for succour, and making it far more difficult to provide for themselves when the relief ceased. The people, I am told, are now to be thrown upon their own resources; but I consider it would have been a wiser course to have left them to their own resources at first. It might have been difficult, perhaps, to have maintained the tranquillity of the country under these circumstances; but I am convinced the danger has been incalculably increased by the perilous experiment of several months relief. It is one thing to deny relief from the beginning, and throw the people on their own resources from the first, and quite another thing to give them relief without throwing them on their own resources, and afterwards, having turned them into beggars, to withdraw the eleemosynary dole. I must say, therefore, that there is much more reason to be alarmed for the tranquillity of the country at this moment, than if we had never entered upon this unwise course. The funds are gone. The ten millions which we voted are partly gift out and out, partly in name loan, but I fear one of those loans to the distressed and the desperate, never to be repaid. The doctrine of repudiation has been imported across the Atlantic; but there is this difference in favour of the Irish, that the odious and despicable principle has come from persons who admit that they had the means of payment, but who told their creditors they would not pay. In Ireland there will be repudiation from hard necessity, because the means of payment exist not. Should the destitution in Ireland continue, how are the Government to meet it without a vote of credit? I have been against the course pursued by Government; but having taken that course, they ought to have adhered to it consistently, and gone on with it as long as the necessity continued. It might be inconvenient to do so, but they should have thought of that before they began. Having once begun, they ought to continue. In time of war it is the custom to take a vote of credit at the end of every Session, not because we know the war will continue, but because peace may not come, and therefore we take a vote of credit applicable to the contingency of its continuing. And so, in the present case, the Government ought to have taken a vote of credit applicable to the contingency of the distress continuing; for, as all the money is gone save 300,000*l.* or 400,000*l.*, if the distress lasts there can be no relief until after Christmas.

I have only one additional remark to make before I close what I have to say on the state of Ireland. I find in several districts an assessment is already made amounting to 9*s.* in the pound for the quarter, or 36*s.* a year, very nearly double the rental of Ireland. And I beg your Lordships to observe that this is not as in England on any old valuation, which was considerably under the real value; but this is on the real actual value. But what would you think of 36*s.* a quarter in some districts, amounting to more than 7*l.* a year out of a pound sterling? Unless a pound in Ireland has the power of extending itself for the occasion, which it was never found to possess in public or private concerns in England, I cannot conceive a state of things more pregnant with ruin, or more full of alarm than this condition of Ireland.

Come we next to the measures proposed in reference to the hours of labour. On this subject I resisted the insane course pursued, but not by the Government, and I did not oppose alone. My views were supported by some of the most able and judicious men in public life, men of calm and deliberate understanding, whose opinions carried the greatest weight, whom I trust in a public as I esteem them in a private capacity—my Friends the Lord Chancellor, the First Lord of the Admiralty—the excellent and able Lord Lieutenant of Ireland. It was a great consolation to have their assistance, as well as that of my noble Friend on the cross benches (Lord Radnor), who generally supports the present Government. Within the last three days I have seen that which it required no seer to foretell—that when work was reduced from 12 to 10 or 11 hours, wages would be reduced from 12*d.* to 10*d.* or 11*d.* That I predicted, and that is precisely what has happened. There has been a strike of workmen in one of the greatest manufactories in Yorkshire, which belongs to some old constituents of mine, men of most humane disposition. But it was not a question of humanity; it was a question of pounds, shillings, and pence. Had they yielded, they would have been ruined; they would have been in the *Gazette.* When the Legislature said the men shall only work eleven hours instead of twelve, the master was compelled to say, for these eleven hours of work they can only have eleven shillings of wages.

I have now gone through all the measures that have passed; I wish your Lordships joy of them, for worse measures have never passed in one Session. Hitherto I have been dealing with actual existences. I am now about to descend to the shades below, to what the great poet of Italy calls the "mondo grame," the lean world, or, as his great master has it, we are now to wander—

> "Perque domos Ditis vacuas, et inania regna."

We are to meet shadows of unreal things. Some were never born, others departed without a moment's warning. I can say nothing to a set of measures which never had a claim even to temporary existence, but which were mere phantasies—mere "freaks that died in thinking." There were various suggestions, and various measures; one Minister saying this would happen, and another that would happen; one saying that more liberality should be shown to the Catholic Church, and others saying not so. I agree with the former. To express such an opinion is the most unpopular thing that a man can do at the present moment; but, unless truths are stated openly when unpopular, they never can become popular. I feel bound to express my difference with my countrymen, and my entire agreement with my noble Friend opposite (Lord Lansdowne), who, when he sat in the same Cabinet, heartily joined our Friend, now no more (Lord Althorp), and others, myself among them, in wishing, without delay, to pay the Romish clergy. Accordingly, one of our Colleagues at the time, examined a Catholic bishop as to the measure of paying their priests, and relieving the people from the burden; and, above all, the priest from dependence for life and sustentation on his flock, and, whether he would or not, on political agitators, and thus being, whether he would or no, himself an agitator. Such was our feeling; and the case was put of an allowance out of the Consolidated Fund. My Colleague was told, that from the Primate down to the lowest vicar every one would do his utmost against such a measure. But when the question was put, "Supposing we pass such a measure in spite of your honest convictions?" He was told, in the same words, that every one, from the Primate down to the lowest vicar, would jump at such a provision. A Catholic meeting sent a gentleman to ask Lord Althorp if this scene had passed which I had in this place described. But I never had named Lord Althorp, and I well knew it was not he who held the conversation—though it was he who had related it to me. Lord Althorp answered in the negative, the question put being whether he ever had such a conversation with the bishop. Wherefore I was placarded, metaphorically in speeches, really in publications, as having told your Lordships a groundless story. But I have Lord Althorp's letter re-asserting the whole, and naming the Colleague who held the conversation; and I then, while he was present, re-asserted the whole in my place. But I still did not state the case so strongly as I ought; for Lord Althorp's letter added what I never have mentioned till now, that the bishop concluded his answer to the question, "What will you all do when we pass the Bill, and the stipends are ready to be paid?" "Oh, every one of us, from the Primate down to the lowest curate will jump to take them, and the Castle-yard will be as if covered by a flock of rooks." So much for the Irish contradiction of the story. I lament that no such wise and just measure as this has ever been adopted; and I also heartily wish that the course had been taken which, thirty years ago, my old and dear Friend on the cross bench (Lord Westminster), then, as now, an ornament of our foreign diplomacy, recommended in a most able memorial to Mr. Canning; and by which Mr. Canning was convinced—namely, to establish a friendly intercourse with the Court of Rome, against which some men have so unaccountable a prejudice. We have 7,000,000 of Catholic subjects, and we dare not hold intercourse with the Prince to whom they look in spiritual matters as their Bishop; and yet no one ever objected to our Ministers negotiating to restore the Pope's temporal power, nay, to our soldiers forming at one time a body-guard for him. Not so does the Court of Prussia act, whose Catholic subjects are less numerous than our own, and whose Protestant people are just as averse to Popish error as ourselves. There is an accredited Minister from Berlin always at Rome, where I used to see my learned Friend Mr. Niebuhr in that capacity, with Mr. Bunsen for the secretary of his legation. And here, my Lords, while I name Prussia, I must step aside for the sake of justice, and indeed as a lover of liberty for gratitude's sake, heartily to express my admiration of the illustrious Monarch, who, nobly resisting all opposition from other quarters, and rising superior to the prejudices of his high station, has shown himself truly a Patriot King, by giving his people a free constitution—a constitution containing very much that is excellent, and having in its bosom the seeds of yet more precious fruit—more extensive political improvement. I grieve to think that the gratitude which such noble conduct should have reaped has not in all quarters been manifested. But he may be assured that, in this country at least, his exalted merits are well appreciated by every enlightened mind.

I return to the failures of the Session. Beside the measures to which I have adverted, there were others never propounded in any shape, and which yet all men naturally expected, some greatly dreaded; which many, therefore, are much pleased to have heard nothing more of. These puny hardly even embryo schemes—these fancies or freaks have all gone down to the limbo of vanity, and have never been. Thus, one Minister, before his accession to office, would have some great change wrought on the Irish Church, which he proclaimed to be the monster evil of the country, and declared to have for 150 years been the real cause of all the sufferings of the Irish people. But others of the Government holding other opinions, that notion vanished away with many others. Such measures were hardly ever endued with life, or at least with more life than to utter an infantile cry—

> "Continuo auditæ voces, vagitus et ingens
> Infantumque animæ flentes in limine primo."

They never looked beyond the threshold of life. But now, in pursuing our way under the guidance of the Sybil—the Book of Votes—we are surrounded by a whole crowd of ghosts; shadows of measures of various sizes, of various degrees of importance; but all have suffered from one pitiless process of abandonment or massacre. Let us review them. The Bill on polling at elections in Ireland was a most proper and useful measure, and a well-timed one also, though it was late of being brought in. It was introduced on the 24th of June, so that its premature death is not a matter of surprise. It was, to confine within the space of a day the polling at county elections; a most necessary regulation, especially in the present state of the country. But this measure is abandoned, and it may be passed after the general election which recommended it has been long forgotten. The Parliamentary Electors Bill was introduced on the 2nd of June to enable voters to tender their votes though they had not paid rates, provided the money had not been demanded. Penalties were imposed on the rating officer if he refused to rate a person who applied to be rated, and if the person was thus rejected he was entitled to vote. Those provisions were equitable and appropriate to the season; for they were proposed on the eve of a general election. But the Bill was gone to join its brother Bill; and as it is not passed when the number of elections about to take place rendered it necessary, it may hereafter pass when there are none for it to operate upon.

Then there were measures expected for bettering the condition of tenants in Ireland, and lessening the injurious competition for land. Such measures had been specially recommended in the Queen's Speech. I only know of one being introduced. A Bill was brought in to give certain facilities to the owners of encumbered estates. Such a measure might have been of the greatest possible benefit. Some thought it the only Irish measure which could be approved, others thought it by far the best of the whole. I regret that the alarm of the Irish landlords as to mortgagees calling in their money should such a measure pass, stood in the way. That would have happened to a far less extent than they supposed. There never was a reduction of interest but the alarm arose that mortgagees would call in; and suppose they did, I say if persons are in a state of embarrassment, they ought *quam primum* to look their necessities in the face, and come to an understanding with their creditors. The measure in question had a beneficial intention and tendency. It gave much valuable help to owners of incumbered estates which were in settlement. But even for its tendency, so much dreaded by debtors, I consider it to have been highly useful and really beneficial to those very debtors. How many bankruptcies, how many insolvencies have I known, what countless perplexities, what endless confusion, what misery, banishing sleep by night and rest by day, which all entirely originated in a person not having the firmness and moral courage early enough to look his difficulties in the face, and ascertain the fact whether his estate was his own property or the property of his creditors, and if it was the property of his creditors to come to an instant arrangement, just to one party and beneficial to both. One great advantage of the Bill would have been its effect in this respect. But I grieve to say it has been abandoned. Then there was the Railways Bill, which no one can mention without exciting a smile. Yet it was a most useful measure, and the Legislature was only ridiculed by the manner of its abandonment. It was the first instance in this country, so far as I can discover, in which the Government has interposed to take upon itself the administration and superintendence of a large mass of commercial and private transactions. The East India Company and the Bank of England, being of the nature of monopolies, are placed in peculiar circumstances. But the Railways Bill exhibited the first instance of such interference on the part of the Government of the country with private concerns. I entirely approved of the interference. The noble and gallant Duke (the Duke of Wellington) had said, eight or ten years ago, with his wonted sagacity, that we had too long delayed interfering. Still, that was no reason why we should not interfere now. There are many reasons why we ought to interfere with railway concerns; first, we had got the whole country covered with a network of railways; next, we had, in consequence of railways, the old travelling abolished; then, the innumerable quantity of persons who travelled by them, and the risk of accidents, made it necessary that there should be a police superintendence exercised; and, lastly and principally, the Legislature had granted a monopoly to the railway companies, because it had granted them the power of taking property compulsorily. When Sir Hugh Myddleton brought the New River to London, he had not such powers, and accordingly it had to take a tortuous course, more so than the Meander itself; for Sir Hugh was obliged to go where he could contract for lands; and that was very inconvenient to the public as well as to the undertakers of the work: but when you give the undertakers the power of going in a straight line, it can only be by compelling persons to let them go through their land, whether they liked it or not, upon prescribed terms, and that gives Parliament an undoubted and almost unqualified right to interfere. Now, I am far enough from saying that the Bill so solemnly introduced and so ridiculously, I may say so ludicrously abandoned, was a very well-framed measure. It had many faults, and it was about as crude and ill-digested a scheme as ever I have happened to see; yet much good it might have wrought, and it was susceptible of improvement, which, in passing through this House, it certainly would have received. But, like everything else, it was abandoned, or, as they said, "put off," and till when? Till the next Session? Why, that will be the first Session of the Railway Parliament; and, if you had no chance of carrying the Bill now on account of the threatened opposition, what chance would you have, when for one railway man in Parliament, there may be, perhaps, a dozen?—ay, and when there will be a great many persons pledged to the railway interest who are not railway proprietors, but who are supported by the railway interest? Why, I know several candidates who belong to no such body, and possess not a single share in any railway, and who yet expect to succeed by help of the railway interest. With them gratitude will have its effect, and the more so the better men they are, for the hold will be on their generous, and not on their sordid feelings. Therefore I have no hope of this railway measure passing in the next Session, and I deeply lament that it was put off till then.

There was another most important subject recommended in the Speech from the Throne. Her Majesty recommended measures being taken without delay for improving the means of guarding against pestilential disease, and generally of tending the health of towns. A Bill was brought in, and very early, according to the recommendation of the Speech, and the promise of the addresses in answer to it. Now, of all the towns in this kingdom, the one that most required this Bill, the one that most imperatively called upon Parliament to accede to this recommendation from the Throne, and to pass a Bill for securing it against the effects of close packing, filth, stench, and pestilence, was the city of London itself. But what was done? Why, one cannot help thinking of the railway Parliament when the Government withdraws London from the Bill. One cannot help thinking that the railway men in the next Parliament will withdraw themselves from the scope of the Railway Bill. The Minister is Member for the City, and accordingly the City is at once withdrawn from the Health of Towns Bill. Just so will the next Session see the railways men withdraw themselves from any new Railway Bill. Ere yet this Sanatory Bill had ceased to exist, petitions were presented complaining that London had been left out, and especially a right rev. Friend of mine (Bishop of London) naturally joined in this complaint on behalf of his diocese. I heartily concurred, but added that I should not refuse the Bill because of its omission, for though it applied no remedy where the evil most called for it, yet other towns might benefit by the measure. How strangely does London always contrive to escape even from the scope of the very measures which its own flagrant abuses occasion! When I issued a Commission to inquire into municipal corporations, it was at first confined to London, which by the magnitude of its abuses required it most. Mr. Abercromby (I think it was) proposed to make the inquiry general, and I cheerfully agreed. The investigation proceeded—the reports were made—the Bill was framed—but London contrived to escape, by having its abuses made the subject of a separate measure, and that measure has never yet been adopted at all. So that the great corporation whose malversations had caused all towns to be reformed, continues to this hour wholly untouched by reform! So it would have fared with the sanatory measure had that not, like all the rest, gone to its long home. After months of varying health—now in imminent danger—now a little better—after lying in a state of suspended animation—the death struggle comes, no parental hand interposes, and it goes the way of all Government Bills in this Session—all except a few bad ones—which seem to have a kind of pernicious vitality, like some noxious animals, the more difficult to destroy the more their destruction is desirable.

The Thames Conservancy Bill followed its worthy, but puny brother. It was a good measure, and so no one could have sanguine hopes of its surviving. Had it been unnecessary, or had it been useless, or had it been hurtful, we should have seen it pass long ere now.

A Prison Bill had the like fate, and yielded to the common doom. But owing to this, we still behold the spectacle, so indecorous to the administration of criminal justice, of the Judges going round the country and passing mock sentences on offenders, sentences of transportation, which they and which we know, are mere words, and are never to be carried into execution; but on the contrary, are all to be changed, at the will of the Government, into totally different sentences—nay, sentences contrary to the known statute law of the land. This is one of the most monstrous of all abuses; for if anything is clear in jurisprudence, it is this, that the punishments to be inflicted on criminals should be declared to the world by the law—that the Judges administering the law should order those punishments to be inflicted—and that none other but those declared by the law and by the sentence, should, on any account, be suffered. I have it from the Judges themselves that they feel all the annoyance, and even discredit, of this strange proceeding, to which the Government have had recourse. Nay, more, they have distinctly said, that if any one sentenced to transportation for a period, is kept in custody a day beyond the time for which he might have been lawfully imprisoned, and the time which is the maximum allowed by law, that person, so illegally confined by the Government, may bring his action on account of such detention. It is therefore deeply to be regretted that the prison measure did not pass, but, like the rest, was abandoned.

Lastly, came and departed two twin-Bills, of an excellent nature, but thus doomed to perish immaturely—those for regulating Scotch marriages and for the regulation of births and deaths.

Various, my Lords, are the merits, divers the magnitudes of the measures we have been contemplating, surrounded as we are by their ghosts, which we must now suffer to flit away.

> "Matres atque viri defunctaque corpora vitâ
> Magnanimum heroum, pueri, innuptæque puellæ,
> Impositique rogis juvenes ante ora parentum."

My Lords, we have been surveying this Session, and grieving over it; let us hope the next may be as unlike it as possible. But let us also be just towards those who have presided over its progress. The Government has had its share of responsibility; but the Commons must bear their part, and they, too, have much to answer for. One thing I know—these failures of our monarchical system to provide for the best interests of the people—this incapacity to give the subject the protection which he has a right to expect in return for his allegiance—nay, this refusal, or inability, I care not which, to perform the very condition on which allegiance is due, makes the wise and the good oftentimes doubt of the monarchical and turn their eyes towards the republican scheme; so that many of us—I profess myself of the number—sometimes have felt themselves all but republicans. For wherein does a monarchy excel a commonwealth, if, while it does not provide so well for liberty, it does not possess the due measure of vigour and of authority? The very worst vice of a republic is a weak Executive, factious distraction, divided counsels, imperfect resolves; which yet most republics by contrivances to the pure democratic principle generally manage to counteract. Bishop Burnet relates a conversation which he had with King William, and to which, if I rightly recollect, a noble Friend of mine once referred (Lord Melbourne) with very appropriate allusion to existing circumstances, as any such citation of his was sure to have. Our great deliverer said he had no very clear opinion which of the two Governments was the best; for he saw many reasons in favour of both monarchy and republics. "But," said he, "I am quite sure which of all Governments is the worst, and that is a monarchy without due power vested in the Executive." "Anything," said the great King, whose immortal memory we all revere, "anything is better than that." So say I of an impotent Ministry; give me any Ministry rather than that. For to the Government administered by feebleness, vacillation, incapacity, imbecility, what allegiance is due, when its first and most sacred duties are hourly neglected, or violated—when it can give no protection to the subject, and so releases him from the debt of obedience? I devoutly pray that I may never witness such scenes of impotency as have formed the staple—nay, the whole of this sad Session. The general election cannot leave us in a worse condition. Let us hope that it may improve our present position, and make the continuance of the same anarchy—I can call it nothing else—impossible. What greater curse could it inflict on us, nay, on the Government itself, than a mere continuance of the same helpless condition—bidding the patient linger on, bedridden, incapable of motion, unable to gratify a single desire, or obey a single impulse, yet telling him "For six long years you shall not die?"

On the contrary let us look forward to more cheerful prospects, and trust that we shall no more see such measures, feebly propounded, tremblingly supported, weakly abandoned—such beneficial measures as the Railway Bill, the Encumbered Estates Bill, the Health of Towns Bill, recommended by the Speech from the Throne, pledged unanimously in addresses to that Sovereign, supported by the able and excellent representative of that Sovereign, hastening from his post abroad to his place here, in order that he might back it! Finally, may we escape the manifold mischiefs entailed on us by such a spectacle as this Session has presented—to the injury of the country's best interests—to the discredit of the Legislature—to the disgrace of the Constitution—to the damage among all nations of the character of our Government, and of the reputation of our common country!

My Lords, I move you that an humble address be presented to Her Majesty, assuring her of the deep interest which this House must ever take in whatever subjects are graciously recommended to their consideration by Her Majesty; that it is with great pain the House is obliged to admit that nearly the whole of the subjects thus recommended, and of high importance in themselves, have not been so far successfully dealt with, as to produce any legislative measures to which Her Majesty's royal consent can now be asked; that it is very painful to the House to reflect that other subjects of vast moment which have been submitted to Parliament, have of necessity been abandoned, without anything effectual having been done with respect to them; that it is the earnest hope of the House that no other Session of Parliament may ever pass without more being done for the improvement of the institutions of the country, and for the benefit of Her Majesty's subjects than it has been found possible to accomplish in the Session which is now so near its close; and that the House now, as at all times, doth gratefully acknowledge Her Majesty's parental care for the welfare of her dominions.

TABLE OF STATUTES.

A TABLE OF ALL THE STATUTES

Passed in the FIRST Session of the FIFTEENTH Parliament of the United Kingdom of *Great Britain* and *Ireland*.

11° & 12° *VICT.*

PUBLIC GENERAL ACTS.

I. AN Act to facilitate the Completion, in certain Cases, of Public Works in *Ireland*.

II. An Act for the better Prevention of Crime and Outrage in certain Parts of *Ireland* until the First Day of *December* One thousand eight hundred and forty-nine, and to the End of the then next Session of Parliament.

III. An Act to give further Time for making certain Railways.

IV. An Act to apply the Sum of Eight Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and forty-eight.

V. An Act to suspend for Five Years the Operation of certain Parts of an Act of the Tenth Year of Her present Majesty, for making further Provision for the Government of the *New Zealand* Islands; and to make other Provision in lieu thereof.

VI. An Act to make further Provision for One Year, and to the End of the then next Session of Parliament, for the Carriage of Passengers by Sea to *North America*.

VII. An Act to amend an Act for consolidating the Queen's Bench, Fleet, and Marshalsea Prison, and for regulating the Queen's Prison.

VIII. An Act to continue for Three Years the Duties on Profits arising from Property, Professions, Trades, and Offices.

IX. An Act to continue for Three Years the Stamp Duties granted by an Act of the Fifth and Sixth Years of Her present Majesty, to assimilate the Stamp Duties in *Great Britain* and *Ireland*, and to make Regulations for collecting and managing the same.

X. An Act for empowering certain Officers of the High Court of Chancery to administer Oaths and take Declarations and Affirmations.

XI. An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.

XII. An Act for the better Security of the Crown and Government of the United Kingdom.

XIII. An Act for amending the Law for the leasing of Mines in *Ireland*.

XIV. An Act for authorizing a Borough Police Superannuation Fund.

XV. An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore.

XVI. An Act for raising the Sum of Seventeen millions nine hundred and forty-six thousand five hundred Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and forty-eight.

XVII. An Act to amend the Act of the present Session to facilitate the Completion of Public Works in *Ireland*.

XVIII. An Act to remove certain Doubts as to the Law for the Trial of controverted Elections.

XIX. An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively until the Twenty-fifth Day of *March* One thousand eight hundred and forty-nine.

XX. An Act to authorize for One Year, and to the End of the then next Session of Parliament, the Removal of Aliens from the Realm.

XXI. An Act to consolidate and amend the Laws relating to Insolvent Debtors in *India*.

XXII. An Act for granting Relief to the Island of *Tobago*, and for aiding the Colonies of *British Guiana* and *Trinidad* in raising Money for the Promotion of Immigration of free Labourers.

XXIII. An Act to alter and amend an Act passed in the Third Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to incorporate the Contributors for the Erection of a National Monument in* Scotland *to commemorate the Naval and Military Victories obtained during the late War.*

XXIV. An Act for disfranchising the Freemen of the Borough of *Great Yarmouth.*

XXV. An Act to extend the Powers given by former Acts for purchasing or hiring Land in connexion with or for the Use of Workhouses in *Ireland;* and for providing for the Burial of the Poor.

XXVI. An Act to remove Difficulties in the Appointment of Collectors of Grand Jury Cess in *Ireland* in certain Cases, and to remove Doubts as to the Jurisdiction of the Divisional Justices of the Police District of *Dublin* Metropolis relating to the Recovery of Poor Rates, and other Cases.

XXVII. An Act to authorize the Inclosure of certain Lands, in pursuance of the Third and also of a Special Report of the Inclosure Commissioners for *England* and *Wales.*

XXVIII. An Act to amend the Law of Imprisonment for Debt in *Ireland,* and to improve the Remedies for the Recovery of Debts and of the Possession of Tenements situate in Cities and Towns, in certain Cases.

XXIX. An Act to enable Persons having a Right to kill Hares in *England* and *Wales* to do so, by themselves or Persons authorized by them, without being required to take out a Game Certificate.

XXX. An Act to enable all Persons having at present a Right to kill Hares in *Scotland* to do so themselves, or by Persons authorized by them, without being required to take out a Game Certificate.

XXXI. An Act to amend the Procedure in respect of Orders for the Removal of the Poor in *England* and *Wales,* and Appeals therefrom.

XXXII. An Act to facilitate the Collection of County Cess in *Ireland.*

XXXIII. An Act to apply the Sum of Three Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and forty-eight.

XXXIV. An Act to amend certain Acts in force in *Ireland* in relation to Appeals from Decrees and Dismisses on Civil Bills in the County of *Dublin* and County of the City of *Dublin.*

XXXV. An Act to empower the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to apprehend, and detain until the First Day of *March* One thousand eight hundred and forty-nine, such Persons as he or they shall suspect of conspiring against Her Majesty's Person and Government.

XXXVI. An Act for the Amendment of the Law of Entail in *Scotland.*

XXXVII. An Act to amend the Law relative to the Assignment of Ecclesiastical Districts.

XXXVIII. An Act to authorize the *West India* Relief Commissioners to grant further Time for the Repayment of Monies advanced by them in certain Cases.

XXXIX. An Act to facilitate the raising of Money by Corporate Bodies for building or repairing Prisons.

XL. An Act to alter the Mode of assessing the Funds leviable in the County of *Inverness,* for making and maintaining certain Roads and Bridges and other Works in the Highlands of *Scotland.*

XLI. An Act to amend the Laws relating to the Ecclesiastical Unions and Divisions of Parishes in *Ireland.*

XLII. An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within *England* and *Wales* with respect to Persons charged with indictable Offences.

XLIII. An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions, within *England* and *Wales,* with respect to summary Convictions and Orders.

XLIV. An Act to protect Justices of the Peace from vexatious Actions for Acts done by them in execution of their Office.

XLV. An Act to amend the Acts for facilitating the winding up the Affairs of Joint Stock Companies unable to meet their pecuniary Engagements; and also to facilitate the Dissolution and winding up of Joint Stock Companies and other Partnerships.

XLVI. An Act for the Removal of Defects in the Administration of Criminal Justice.

XLVII. An Act for the Protection and Relief of the destitute Poor evicted from their Dwellings in *Ireland.*

XLVIII. An Act to facilitate the Sale of Incumbered Estates in *Ireland.*

XLIX. An Act for regulating the Sale of Beer and other Liquors on the Lord's Day.

L. An Act to empower the Commissioners of Her Majesty's Woods to remove the Colonnade in the *Regent's Quadrant.*

LI. An Act to provide additional Funds for Loans for Drainage and other Works of public Utility in *Ireland.*

LII. An Act to explain the Acts for preventing the Destruction of the Breed of Salmon and Fish of the Salmon Kind.

LIII. An Act to empower the Commissioners of Her Majesty's Woods to make certain Alterations and Improvements in the Approaches to the Castle and Town of *Windsor.*

LIV. An Act for incorporating the Commissioners of the *Caledonian* Canal, and for vesting the *Crinan* Canal in the said Commissioners.

LV. An Act for consolidating the Offices of Paymasters of Exchequer Bills and Paymaster of Civil Services with the Office of Paymaster General, and for making other Provisions in regard to the consolidated Offices.

LVI. An Act to repeal so much of an Act of the Third and Fourth Years of Her present Majesty, to re-unite the Provinces of *Upper* and *Lower Canada,* and for the Government of *Canada,* as relates to the Use of the *English* Language in Instruments relating to the Legislative Council and Legislative Assembly of the Province of *Canada.*

LVII. An Act to enable Her Majesty to exchange the Advowson of the Vicarage of *Stoneleigh* in the County of *Warwick* for the Advowsons of the Rectory of *Yoxall* in the County of *Stafford* and the Perpetual Curacy of *Hunningham* in the County of *Warwick.*

LVIII. An Act to authorize for Ten Years, and to the End of the then next Session of Parliament, the Regulation of the Annuities and Premiums of the Naval Medical Supplemental Fund Society.

LIX. An Act for the more speedy Trial and

Punishment of Juvenile Offenders in *Ireland.*

LX. An Act to alter the Duties payable upon the Importation of Spirits or Strong Waters.

LXI. An Act to effect an Exchange of Ecclesiastical Patronage between Her Majesty and the Earl of *Leicester*, and for the Severance and Consolidation of certain Benefices in the Diocese of *Norwich*, and for other Ecclesiastical Purposes.

LXII. An Act to appoint additional Commissioners for executing the Acts for granting a Land Tax and other Rates and Taxes.

LXIII. An Act for promoting the Public Health.

LXIV. An Act to continue until the First Day of *October* One thousand eight hundred and forty-nine, and to the End of the then next Session of Parliament, an Act to amend the Laws relating to Loan Societies.

LXV. An Act to suspend until the First Day of *October* One thousand eight hundred and forty-nine the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom.

LXVI. An Act to continue to the First Day of *October* One thousand eight hundred and forty-nine, and to the End of the then next Session of Parliament, an Act for authorizing the Application of Highway Rates to Turnpike Roads.

LXVII. An Act for further continuing until the First Day of *August* One thousand eight hundred and forty-nine, and to the End of the then next Session of Parliament, certain temporary Provisions concerning Ecclesiastical Jurisdiction in *England.*

LXVIII. An Act for extending to *Ireland* an Act passed in the last Session of Parliament, intituled *An Act for better securing Trust Funds, and for the Relief of Trustees.*

LXIX. An Act to repeal so much of an Act of the Parliament of *Ireland* of the Twenty-third and Twenty-fourth Years of King *George* the Third, "for the more effectually punishing such Persons as shall by Violence obstruct the Freedom of Corn Markets and the Corn Trade, and who shall be guilty of other Offences therein mentioned, and for making Satisfaction to the Parties injured," as relates to the making of Satisfaction to the Parties injured; and to substitute other Provisions in lieu thereof; and to repeal the Provisions of the Acts which give Remedies against any Hundreds or Baronies in *Ireland* in respect of Robbery.

LXX. An Act for dispensing with the Evidence of the Proclamations on Fines levied in the Court of Common Pleas at *Westminster.*

LXXI. An Act to continue to the Twentieth Day of *July* One thousand eight hundred and fifty-three, and to the End of the then next Session of Parliament, Her Majesty's Commission for building new Churches.

LXXII. An Act to amend the Acts relating to the Constabulary Force in *Ireland*, and to amend the Provisions for the Payment of Special Constables.

LXXIII. An Act to continue until the Thirty-first Day of *July* One thousand eight hundred and forty-nine, and to the end of the then Session of Parliament, certain Acts for regulating Turnpike Roads in *Ireland.*

LXXIV. An Act to authorize the Lords of Council and Session to regulate the Rates or Dues of Registration to be charged by the Keepers of the Registers of Sasines, Reversions, &c. in *Scotland.*

LXXV. An Act to defray until the First Day of *August* One thousand eight hundred and forty-nine the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in *Great Britain* and *Ireland;* to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons' Mates, and Serjeant Majors of the Militia; and to authorize the Employment of the Non-commissioned Officers.

LXXVI. An Act to enable Archbishops and Bishops and other Persons in *Ireland* to compromise Suits touching their rights of Patronage as to Ecclesiastical Benefices, in certain Cases.

LXXVII. An Act to authorize the Application of Part of the unclaimed Money in the Court for the Relief of Insolvent Debtors in enlarging the Court House of the said Court.

LXXVIII. An Act for the further Amendment of the Administration of the Criminal Law.

LXXIX. An Act to facilitate and simplify Procedure in the Court of Justiciary in *Scotland.*

LXXX. An Act to empower Lessees of Tithe Rent-charge in *Ireland* to deduct a Proportion of Poor Rate Poundage from Rent; and also to empower the Ecclesiastical Commissioners in *Ireland* to allow Sums paid for Poor Rate or County Cess, or Poundage deducted from Ecclesiastical Persons on account of Poor Rate, among the Deductions from the Valuation of Ecclesiastical Property directed to be made under an Act of the Third and Fourth Years of His late Majesty, for the Purpose of a certain Tax thereby imposed upon such Property in *Ireland.*

LXXXI. An Act for the further Regulation of Steam Navigation, and for Limiting in certain Cases the Number of Passengers to be conveyed in Steam Vessels.

LXXXII. An Act to amend the Law for the Formation of Districts for the Education of Infant Poor.

LXXXIII. An Act to confirm the Awards of Assessionable Manors Commissioners, and for other Purposes relating to the Duchies of *Cornwall* and *Lancaster.*

LXXXIV. An Act to amend the Acts for rendering effective the Service of the *Chelsea* and *Greenwich* Out-Pensioners, and to extend them to the Pensioners of the *East India* Company.

LXXXV. An Act to continue to the First Day of *October* One thousand eight hundred and forty-nine, and to the End of the then next Session of Parliament, the Exemption of Inhabitants from Liability to be rated as such in respect to Stock in trade or other Property to the Relief of the Poor.

LXXXVI. An Act to empower Commissioners of the Court of Bankruptcy to order the Release of Bankrupts from Prison in certain Cases.

LXXXVII. An Act to extend the Provisions of an Act passed in the First Year of His late Majesty King *William* the Fourth, intituled *An Act for consolidating and amending the Laws for facilitating the Payment of Debts out of Real Estate.*

LXXXVIII. An Act for further regulating the Money Order Department of the Post Office.

LXXXIX. An Act to continue for Two Years, and to the end of the then next Session of Parliament, and to amend, an Act of the Second and Third Years of Her present Majesty, intituled *An Act to extend and render more effectual for Five Years an Act passed in the Fourth Year of His late Majesty* George *the Fourth, to amend an Act passed in the Fiftieth Year of His Majesty* George *the Third, for preventing the administering and taking unlawful Oaths in* Ireland.

XC. An Act to regulate the Times of Payment of Rates and Taxes by Parliamentary Electors.

XCI. An Act to make Provision for the Payment of Parish Debts, the Audit of Parochial and Union Accounts, and the Allowance of certain Charges therein.

XCII. An Act for the Protection and Improvement of the Salmon, Trout, and other Inland Fisheries of *Ireland.*

XCIII. An Act to confirm the Incorporation of certain Boroughs.

XCIV. An Act to regulate certain Offices in the Petty Bag in the High Court of Chancery, the Practice of the Common-Law Side of that Court, and the Enrolment Office of the said Court.

XCV. An Act to carry into effect the Arrangements of the Ecclesiastical Commissioners for *England* for making better Provision for the Cure of Souls in the Parish of *Wolverhampton* in the County of *Stafford* and Diocese of *Lichfield.*

XCVI. An Act to continue certain Turnpike Acts for limited Periods.

XCVII. An Act to repeal the Duties of Customs upon the Importation of Sugar, and to impose new duties in lieu thereof.

XCVIII. An Act to amend the Law for the Trial of Election Petitions.

XCIX. An Act to further extend the Provisions of the Act for the Inclosure and Improvement of Commons.

C. An Act to permit the Distillation of Spirits from Sugar, Molasses, and Treacle in the United Kingdom.

CI. An Act to provide for the Expenses of erecting and maintaining Lock-up Houses on the Borders of Counties.

CII. An Act to enlarge the Powers of an Act empowering the Commissioners of Her Majesty's Woods to form a Royal Park in *Battersea Fields;* to facilitate the raising of Monies authorized to be raised by the said Commissioners for Metropolitan Improvements; and to regulate and simplify the Mode of keeping the Accounts of the Commissioners of Her Majesty's Woods.

CIII. An Act to authorize the Application of a Sum of Money out of the forfeited and unclaimed Army Prize Fund in purchasing the Site of the Royal Military Asylum, and in improving such Asylum.

CIV. An Act for amending the Act for regulating the Prison at *Millbank.*

CV. An Act to prohibit the Importation of Sheep, Cattle, or other Animals, for the Purpose of preventing the Introduction of contagious or infectious Disorders.

CVI. An Act to amend an Act of the Tenth Year of Her present Majesty, for rendering valid certain proceedings for the Relief of Distress in *Ireland* by Employment of the Labouring Poor, and to indemnify those who have acted in such Proceedings.

CVII. An Act to prevent, until the First Day of *September* One thousand eight hundred and fifty, and to the End of the then Session of Parliament, the spreading of contagious or infectious Disorders among Sheep, Cattle, and other Animals.

CVIII. An Act for enabling Her Majesty to establish and maintain Diplomatic Relations with the Sovereign of the *Roman* States.

CIX. An Act to authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners for *England* and *Wales.*

CX. An Act to alter the Provisions relating to the Charges for the Relief of the Poor in Unions.

CXI. An Act to amend an Act of the Tenth Year of Her present Majesty, for amending the Laws relating to the Removal of the Poor.

CXII. An Act to consolidate, and continue in force for Two Years and to the End of the then next Session of Parliament, the Metropolitan Commissions of Sewers.

CXIII. An Act for the further Amendment of the Acts relating to the *Dublin* Police.

CXIV. An Act to prevent District Auditors from taking Proceedings in certain Cases.

CXV. An Act to vest in Her Majesty the Property of the *Irish* Reproductive Loan Fund Institution, and to dissolve the said Institution.

CXVI. An Act for carrying into effect the Treaty between Her Majesty and the Republic of the *Equator* for the Abolition of the Traffic in Slaves.

CXVII. An Act for rendering certain Newspapers published in the *Channel Islands* and the *Isle of Man* liable to Postage.

CXVIII. An Act to explain and amend the Law as to the Licence required for the letting of Post Horses to Hire in *Ireland,* and the Law respecting Proceedings for Duties and Penalties under the Post Horse, Stage, and Hackney Carriage Acts in the United Kingdom.

CXIX. An Act to simplify the Forms of Certificates under the Act authorizing the Advance of Money for the Improvement of Land by Drainage in *Great Britain.*

CXX. An Act to facilitate the Tranfer of Landed Property in *Ireland.*

CXXI. An Act to alter the Laws and Regulations of Excise respecting the Survey of Dealers in and Retailers of Spirits, and respecting the Sale and Removal of Spirits by Permit from the Stock of such Traders; and respecting the Distribution of Penalties and Forfeitures recovered under the Laws of Excise.

CXXII. An Act to amend the Laws respecting the Warehousing of *British* Spirits in *England, Scotland,* and *Ireland* respectively, and to permit Spirits made from Malt only, and Spirits made from Malt and other Grain, and Rectified Spirits, to be exported on Drawback from any Part of the United Kingdom; and respecting certain Spirit Mixtures, and the Removal of Goods subject to Excise Regulations from Customs Warehouse.

CXXIII. An Act to renew and amend an Act of the Tenth Year of Her present Majesty, for the more speedy Removal of certain Nuisances, and the Prevention of contagious and epidemic Diseases.

CXXIV. An Act to amend an Act of the last Session, for varying the Priorities of the Charges made on "The *London Bridge* Approaches Fund," and to facilitate the Completion of certain Improvements in the City of *Westminster*.

CXXV. An Act for raising the Sum of Two Millions by Exchequer Bills, or by the Creation of Annuities, for the Service of the Year One thousand eight hundred and forty-eight.

CXXVI. An Act to apply a Sum out of the Consolidated Fund, and certain other Sums, to the Service of the Year One thousand eight hundred and forty-eight; and to appropriate the Supplies granted in this Session of Parliament.

CXXVII. An Act to reduce the Duties on Copper and Lead.

CXXVIII. An Act for carrying into effect the Agreement between Her Majesty and the Imaum of *Muscat* for the more effectual Suppression of the Slave Trade.

CXXIX. An Act for amending an Act passed in the Ninth and Tenth Years of Her present Majesty for making preliminary Inquiries in certain Cases of Applications for Local Acts.

CXXX. An Act for guaranteeing the Interest on such Loans, not exceeding Five hundred thousand Pounds, as may be raised by the *British* Colonies on the Continent of *South America*, in the *West Indies* and the *Mauritius*, for certain Purposes.

CXXXI. An Act to amend and continue until the First Day of *November* One thousand eight hundred and forty-nine, and to the End of the then next Session of Parliament, an Act to make Provision for the Treatment of poor Persons afflicted with Fever in *Ireland*.

CXXXII. An Act for the Appointment of additional Taxing Masters for the High Court of Chancery in *Ireland*, and to regulate the Appointment of the Principal Assistants to the Masters in the Superior Courts of Law in *Ireland*.

CXXXIII. An Act to amend the Laws relating to Savings Banks in *Ireland*.

LOCAL AND PERSONAL ACTS,

DECLARED PUBLIC

AND TO BE JUDICIALLY NOTICED.

i. AN Act for better assessing and collecting the Poor Rates, Lighting, Watching, and Highway Rates, in the Parish of *Kettering* in the County of *Northampton*.

ii. An Act for enabling the Mayor, Aldermen, and Burgesses of the Borough of *Leicester* to establish a general Cemetery for such Borough.

iii. An Act for the Consecration of a Portion of the *Manchester* General Cemetery.

iv. An Act for extending the Time for building a Bridge over the River *Avon* from *Clifton* to the opposite Side of the River in the County of *Somerset*.

v. An Act to authorize the Company of Proprietors of the *Leicester* Navigation to abandon the Railways or Stone Roads and Water Levels commonly known as "The Forest Line," and to enable them to sell the Lands over which the same passes, and the Reservoir and other Works connected therewith.

vi. An Act for supplying the Parish and Township or Borough of *Folkestone* with Water.

vii. An Act to enable the Company of Proprietors of *Lambeth* Waterworks to construct additional Works, and for better supplying the Inhabitants of the Parish of *Lambeth* in the County of *Surrey* and other Parishes and Places with Water.

viii. An Act for the better supplying with Water the Royal Burgh of *Stirling* and Suburbs thereof.

ix. An Act to enable the *Birkenhead* Dock Company to sell or lease their Land.

x. An Act to authorize the Trustees of the *Liverpool* Docks to build Warehouses, to construct additional Wet Docks and other Works, and for other Purposes.

xi. An Act for constructing and maintaining a Pier, Jetty, or Stage, with necessary Approaches thereto, at *Dover* in the County of *Kent*.

xii. An Act for lighting with Gas the Township of *Morley* in the Parish of *Batley* in the West Riding of the County of *York*.

xiii. An Act for amending "The *Bristol and Clifton* Gaslight Act, 1847."

xiv. An Act for incorporating the *Southampton* Gaslight Company, and for supplying at a limited Price the Town and Neighbourhood of *Southampton* with Gas.

xv. An Act to amend and enlarge the Provisions of an Act passed in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act for better supplying with Gas the City of* Worcester *and the Suburbs thereof*, and to enable the Worcester New Gaslight Company incorporated by the said Act to raise a further Sum of Money.

xvi. An Act for providing a Market for the Sale of Cattle and other Animals in the Borough of *Shrewsbury* in the County of *Salop*.

xvii. An Act to alter, amend, and enlarge the Powers and Provisions of an Act passed in the

Ninth Year of the Reign of His Majesty King *George* the Third, for establishing and governing the *Magdalen* Hospital.

xviii. An Act for the Regulation of certain public Sufferance Wharves in the Port of *London.*

xix. An Act to effect an Agreement between the Visitors of the Lunatic Asylum for the County of *Leicester* and the Corporation of the Borough of *Leicester,* for the Admission of Lunatic Paupers from the said Borough into the said Asylum.

xx. An Act for the Incorporation, Establishment, and Regulation of "*Price's* Patent Candle Company," and for enabling the said Company to purchase and work Letters Patent.

xxi. An Act to authorize certain Alterations in the *Hitchin, Northampton, and Huntingdon* Extension of the *Midland* Railways; and for other Purposes.

xxii. An Act for enabling the *North-western* Railway Company to make certain Alterations and Diversions in the Main Line of their Railway at *Skipton, Casterton,* and *Sedbergh,* and in the *Lancaster* Branch of their Railway at *Bulk.*

xxiii. An Act to authorize the leasing of the *Aberdare* Railway, with the Branch Railway and Works connected therewith, to the *Taff Vale* Railway Company.

xxiv. An Act for enabling the *York, Newcastle, and Berwick* Railway Company to improve their Main Line of Railway, and to make certain Branches in the County of *Durham*; and for other Purposes.

xxv. An Act to empower the *North British* Railway Company to raise additional Capital for certain Purposes.

xxvi. An Act to enable the *Kendal and Windermere* Railway Company to raise a further Sum of Money, and to amend the Act relating to such Railway.

xxvii. An Act for enabling the *South Wales* Railway Company to hold Shares in the Undertaking of the *Vale of Neath* Railway Company; and for other Purposes.

xxviii. An Act for enabling the *Bristol and Exeter* Railway Company to purchase the *Glastonbury* Navigation and Canal, and for amending the Acts relating to such Railway and Canal.

xxix. An Act to amend the Acts relating to the *Waterford, Wexford, Wicklow, and Dublin* Railway, and to enable the *South Wales* Railway Company to subscribe thereto.

xxx. An Act to enable the *Norfolk* Railway Company to raise a further Sum of Money, and for other Purposes.

xxxi. An Act for abolishing the Duties now payable under the Act of 7 *George* I., commonly called *Saint George's* Chapel Act, and for otherwise varying the Provisions thereof, and enacting other Duties and Provisions in lieu thereof.

xxxii. An Act to raise a further Sum of Money for the Court House and Offices at *Hamilton,* and to alter the Mode of assessing and levying certain Rates and Assessments in the County of *Lanark.*

xxxiii. An Act for removing and regulating the Markets and Fairs held in the Borough and Liberties of *Oswestry,* and for completing and providing convenient Market Places and Places for Fairs, with proper Approaches thereto.

xxxiv. An Act for maintaining and improving the Harbour of *Looe* in the County of *Cornwall,* and for taking down the present Bridge between *East* and *West Looe* across the said Harbour, and erecting a new Bridge instead thereof.

xxxv. An Act for maintaining, regulating, and improving the Harbour of *Barrow* in the County Palatine of *Lancaster.*

xxxvi. An Act for better supplying with Water the Borough of *Derby,* and certain Parishes and Places adjacent thereto, in the County of *Derby.*

xxxvii. An Act to amend Three Acts of His Majesty King *George* the Third, and another Act of His late Majesty King *William* the Fourth, for amending certain Mileways leading to *Oxford,* and making Improvements in the University and City of *Oxford,* the Suburbs thereof, and adjoining Parish of *Saint Clement*; and for other Purposes.

xxxviii. An Act to amalgamate the *Liverpool* Gaslight Company and the *Liverpool* New Gas and Coke Company.

xxxix. An Act to amend and enlarge the Powers of an Act passed in the Second Year of the Reign of His Majesty King *George* the Fourth, and of an Act passed in the Sixth Year of the Reign of Her present Majesty, for supplying the Towns of *Old* and *New Brentford* in the County of *Middlesex,* and other Places therein mentioned, with Gas.

xl. An Act to repeal the Provisions of two several Acts for lighting with Gas the Town of *Brighthelmstone* in the County of *Sussex,* and for making other Provisions in lieu thereof.

xli. An Act to authorize the Company of Proprietors of the *Forth and Clyde* Navigation and the *Airdrie and Coatbridge* Water Company to enter into Agreements for certain Purposes.

xlii. An Act to enable the *Herculaneum* Dock Company to sell or lease Lands at *Toxteth Park* in the County of *Lancaster.*

xliii. An Act for facilitating the Transfer of the *Bristol* Docks to the Mayor, Aldermen, and Burgesses of the City of *Bristol,* and for other Purposes.

xliv. An Act for the further Extension and Improvement of the Ferry, Harbours, Piers, and other Works at *Queensferry* on the *Frith of Forth*; and for certain other Purposes connected therewith.

xlv. An Act for establishing direct Steam Communications across the River *Tyne* between the Towns of *North* and *South Shields,* and between other Places in the Counties of *Durham* and *Northumberland.*

xlvi. An Act for incorporating the *North of Scotland* Fire and Life Assurance Company, under the Name of "The *Northern* Assurance Company;" for enabling the said Company to sue and be sued, and to take, hold, and transfer Property; for confirming the Rules and Regulations of the said Company; and for other Purposes relating thereto.

xlvii. An Act for enabling "The Patent Galvanized Iron Company" to purchase and work certain Letters Patent.

xlviii. An Act for repealing an Act passed in the Sixth Year of the Reign of His Majesty King *George* the Fourth, for making a Road from *Battle Bridge* to *Holloway,* in the County of *Middlesex.*

xlix. An Act for repairing the Road from *Nantwich* to *Wheelock Wharf* in the County Palatine of *Chester;* and to repeal an Act passed in the Fifty-sixth Year of the Reign of His Majesty King *George* the Third; and to continue and extend the Trust.

l. An Act to amend an Act passed in the Eleventh Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for repairing and maintaining the Roads from the Town of* Dundalk *in the County of* Louth *to the Towns of* Castle Blayney *and* Carrickmacross *in the County of* Monaghan.

li. An Act for repealing an Act of the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for making, repairing, and improving certain Roads leading to and from* Truro *in the County of* Cornwall, and for making other Provisions in lieu thereof; for forming, vesting, and improving certain Roads; and for continuing and extending the *Truro* Turnpike Trust.

lii. An Act to enable the *Dundee and Perth* Railway Company to make a Junction Line of Railway into the Royal Burgh of *Dundee.*

liii. An Act to continue and amend the Act relating to the *Drumpeller* Railway.

liv. An Act to enable the *Arbroath and Forfar* Railway Company to raise a further Sum of Money.

lv. An Act for enabling the *York, Newcastle, and Berwick* Railway Company to deviate or alter Part of their *Thirsk and Malton* Branch Railway, and to abandon Part of the same; and for other Purposes.

lvi. An Act for enabling the *Leeds and Thirsk* Railway Company to make a Railway from *Melmerby* to *Northallerton,* and to form a Junction with the *York and Newcastle* Railway.

lvii. An Act for enabling the *Leeds and Thirsk* Railway Company to alter the Levels of certain Portions of the *Leeds and Hartlepool* Railway, and to alter the proposed Junctions with the *Stockton and Darlington* Railway in *Eaglescliffe;* and for other Purposes.

lviii. An Act for enabling the *Manchester South Junction and Altrincham* Railway Company to provide additional Station Accommodation in *Manchester;* and for other Purposes.

lix. An Act to authorize the *Oxford, Worcester, and Wolverhampton* Railway Company to raise a further Sum of Money; and for other Purposes.

lx. An Act to enable the *Chester and Holyhead* Railway Company to purchase, hire, and use Steam Boats; and for other Purposes.

lxi. An Act to enable the *Waterford and Kilkenny* Railway Company to make certain Deviations in the authorized Line of the said Railway; and to amend the Act relating thereto.

lxii. An Act to alter the Line of the *Great Grimsby* Branch of the *East Lincolnshire* Railway, and to amend and enlarge the Provisions of the Acts relating to the *East Lincolnshire* Railway.

lxiii. An Act for enabling the *Manchester, Sheffield,* and *Lincolnshire* Railway Company to make a Railway to *Barnsley,* with Branches therefrom, all in the West Riding of the County of *York.*

lxiv. An Act for enabling the *Manchester, Sheffield, and Lincolnshire* Railway Company to make improved Communications to their Station in *Manchester.*

lxv. An Act to authorize the *South Yorkshire, Doncaster, and Goole* Railway Company to construct a Branch Railway to the *Great Northern* Railway at *Doncaster.*

lxvi. An Act to authorize certain Alterations of the *North Staffordshire* Railway.

lxvii. An Act to enable the *Aberdeen* Railway Company to raise a further Sum of Money.

lxviii. An Act for enabling the *Leeds and Thirsk* Railway Company to make a Railway by *Harrogate* to *Pateley;* and for other Purposes.

lxix. An Act to enable the *Manchester, Sheffield, and Lincolnshire* Railway Company to carry the Line of their Railway across *Sheffield Street* in *Manchester,* to increase their Station Accommodation at *Manchester* and *Stalybridge,* and for other Purposes.

lxx. An Act to enable the *Edinburgh and Glasgow* Railway Company to make certain Branches, and to alter the Tunnel at *Glasgow;* and for other Purposes.

lxxi. An Act for making a Railway Station on the North Side of the River *Aire* in *Leeds,* in the West Riding of the County of *York,* to be called "The *Leeds* Central Railway Station."

lxxii. An Act to enable the *Scottish Midland Junction* Railway Company to make Branch Railways to *Birnam* and to the *Dunkeld* Branch of the *Scottish Midland Junction* Railway, and also to abandon Portion of the original Line of the said *Dunkeld* Branch.

lxxiii. An Act to enable the *Caledonian* Railway Company to improve the *Glasgow, Garnkirk, and Coatbridge* and the *Clydesdale Junction* Railways.

lxxiv. An Act for making a Railway from the *Berks and Hants* Railway at *Hungerford* to join the Line of the *Wilts, Somerset, and Weymouth* Railway at *Westbury* and *Devizes.*

lxxv. An Act for authorizing certain Deviations in the Line of the *Windsor, Staines, and Southwestern* Railway.

lxxvi. An Act to make a Deviation in the authorized Line of the *Midland Great Western* Railway of *Ireland,* and to amend the Acts relating to the Company.

lxxvii. An Act to enable the *Bristol and Exeter* Railway Company to make a Branch Railway from the *Bristol and Exeter* Railway in the Parish of *Bleadon* to the City of *Wells,* the Town of *Glastonbury,* and the Parish of *Street,* all in the County of *Somerset.*

lxxviii. An Act to enable the *Glasgow, Paisley, and Greenock* Railway Company to make a certain Branch Railway; and to amend the Acts relating to the said Railway.

lxxix. An Act to authorize the Abandonment of a Portion of the *Londonderry and Enniskillen* Railway, and the Enlargement of the intended Station at *Londonderry;* and for other Purposes.

lxxx. An Act to enable the *Whitehaven Junction* Railway Company to extend their Railway from the present Terminus thereof at *Whitehaven* to the Patent Slip Yard in *Whitehaven,* to make Branches to *Whitehaven* Harbour, to deviate the Line at *Parton,* and to alter, enlarge, and extend the Company's Stations, Railways, and Works; and for other Purposes.

lxxxi. An Act for enabling the *Hartlepool* Dock and Railway Company and the *Great North of England, Clarence, and Hartlepool Junction* Railway Company to lease their respective Railways and Works to the *York, Newcastle, and Berwick* Railway Company.

lxxxii. An Act to enable the *Bristol and Exeter* Railway Company to make a Branch Railway from the Parish of *Lyng*, near the Town of *Taunton*, to join the *Wilts, Somerset, and Weymouth* Railway near *Castle Cary*, in the County of *Somerset.*

lxxxiii. An Act for making a Branch Railway from the *Churnet Valley* Line of the *North Staffordshire* Railway in the Parish of *Rocester* in the County of *Stafford to Ashbourne* in the County of *Derby.*

lxxxiv. An Act to regulate the Charges for the Conveyance of Traffic on the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway, and for other Purposes.

lxxxv. An Act for making a Railway from *Exeter* to *Yeovil*, with Branches and an Extension therefrom, to be called " The *Exeter, Yeovil, and Dorchester* Railway."

lxxxvi. An Act for vesting in the *Manchester, Sheffield, and Lincolnshire* Railway Company the Canal Navigation from *Manchester* to or near *Ashton-under-Lyne* and *Oldham.*

lxxxvii. An Act to enable the *London and South-western* Railway Company to make a Railway from *Salisbury* to *Yeovil*, with Branches to *Shaftesbury*, and to the *Exeter, Yeovil, and Dorchester* and *Wilts, Somerset, and Weymouth* Railways.

lxxxviii. An Act to enable the *Midland* Railway Company to make certain Branches from and Enlargements of their Railway ; and for other Purposes.

lxxxix. An Act for amalgamating the *Southampton and Dorchester* Railway Company with the *London and South-western* Railway Company.

xc. An Act to amend the Acts relating to the *London and Blackwall* Railway, and to authorize the Company to alter the Gauge of their Railway, and to make certain Improvements in the Approaches to the said Railway, and to make Branches to the *London and Saint Katherine's* Docks.

xci. An Act to enable the *Whitehaven Junction* Railway Company to raise a further Sum of Money ; and to amend the Act relating to the said Railway.

xcii. An Act for improving the Steam Communication across the River *Humber* belonging to the *Manchester, Sheffield, and Lincolnshire* Railway Company ; for erecting a Pier at *Kingston-upon-Hull*, and enlarging the Works at *New Holland ;* for making a connecting Line near *Haborough* in the County of *Lincoln ;* for regulating the Pilotage of the Port of *Great Grimsby ;* and for amending the Acts relating to the *Manchester, Sheffield, and Lincolnshire* Railway Company.

xciii. An Act to enable the *Manchester, Sheffield, and Lincolnshire* Railway Company to construct an additional or enlarged Station at *Sheffield*, and to make a Branch Railway to the *Sheffield* Canal.

xciv. An Act for vesting in the *Manchester, Sheffield, and Lincolnshire* Railway Company the *Sheffield* Canal.

xcv. An Act to enable the *Plymouth Great Western* Dock Company to raise further Capital, and to authorize the *Great Western*, the *Bristol and Exeter*, and *South Devon* Railway Companies to subscribe to the *Plymouth Great Western* Docks ; and for other Purposes.

xcvi. An Act to amend the Acts relating to the *Newry* Navigation.

xcvii. An Act to enable the Warden and Assistants of the Harbour of *Dover* in the County of *Kent* to raise a further Sum of Money.

xcviii. An Act to improve the Harbour of *Burntisland* in the County of *Fife.*

xcix. An Act for constructing a Harbour at *Leck Robbie* and for maintaining the Harbour of *Little Ferry*, both in the County of *Sutherland.*

c. An Act for establishing a general Cemetery for the Interment of the Dead in the Parish of *Saint Mary on the Hill* in the City of *Chester.*

ci. An Act to alter, amend, and enlarge the Powers and Provisions of " The *Manchester* Corporation Waterworks Act, 1847."

cii. An Act to amend, extend, and enlarge the Powers of an Act passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act for better lighting, cleansing, sewering, and improving the Borough of* Leeds *in the County of* York ; and to give to the Mayor, Aldermen, and Burgesses of the said Borough further and more effectual Powers for draining and sewering the said Borough.

ciii. An Act for dissolving and facilitating the Winding-up of the Affairs of " The Patent Galvanized Iron Company," trading under the Firm or Style of *Malins* and *Rawlinsons.*

civ. An Act to amend the Acts for improving the Drainage and Navigation of the Middle Level of the Fens, and for other Purposes connected therewith.

cv. An Act to enable *Low's* Patent Copper Company to work certain Letters Patent.

cvi. An Act for incorporating the *Scottish* Provident Institution, for confirming the Laws and Regulations thereof, for enabling the said Society to sue and be sued, to take and to hold Property ; and for other Purposes relating to said Society.

cvii. An Act to amend and continue the Term of an Act passed in the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to continue the Term of an Act passed in the Parliament of* Ireland *in the Thirty-fifth Year of His present Majesty, for improving and repairing the Turnpike Road leading from* Dublin *to* Mullingar, *and for repealing the several Laws heretofore made relating to the said Road.*

cviii. An Act for authorizing the Trustees of the *Tadcaster and Halton Dial* Turnpike Road to make a Diversion or Alteration of such Part of the Line of the *Tadcaster and Halton Dial* Turnpike Road as lies in the Parish of *Tadcaster* in the West Riding of the County of *York.*

cix. An Act to enable the President, Vice-Presidents, Treasurer, and Members of the Philanthropic Society to sell and grant Leases of the Lands belonging to them, and to purchase other Lands ; and for other Purposes relating to the said Society.

cx. An Act to incorporate the Members of the Institution called " The Orphan Working School," now established at *Haverstock Hill, Hampstead Road*, in the County of *Middlesex*, and to enable them the better to carry on their charitable Designs.

cxi. An Act to alter and amend some of the Provisions of the Acts relating to the *London and Blackwall* Railway Company.

cxii. An Act to enable the *Edinburgh and Northern* Railway Company to make Branch Railways to *Roscobie*, *Keltyhead*, and *Glencraig;* and for certain other Purposes.

cxiii. An Act for more effectually watching, cleansing and lighting the Streets of the City of *Edinburgh* and adjoining Districts, for regulating the Police thereof, and for other Purposes relating thereto.

cxiv. An Act to amend the Acts relating to the *Great Northern* Railway Company; and to enable the Company to make an Extension of their Railway from the Parish of *Saundby* in *Nottinghamshire* to the *Askern* Branch of the *Wakefield, Pontefract, and Goole* Railway in the Parish of *Owston* in the West Riding of *Yorkshire,* with a Branch to rejoin the *Great Northern* Railway in the Parish of *Snaith* in the said West Riding.

cxv. An Act for enabling the *Lancashire and Yorkshire* Railway Company to make certain Modifications of their Share Capital; and for other Purposes.

cxvi. An Act to enable the *Edinburgh and Bathgate* Railway Company to extend their *Whitburn* Branch, and to alter or deviate their *Uphall and Binnie* Branch.

cxvii. An Act to authorize a Deviation in the Line of the *Londonderry and Coleraine* Railway, and to amend the Act relating thereto.

cxviii. An Act to facilitate the Construction of *Cowlairs* Branch of the *Glasgow, Airdrie, and Monklands Junction* Railway by the *Edinburgh and Glasgow* Railway Company, and to grant further Powers to that Company.

cxix. An Act to enable the *Royston and Hitchin* Railway Company to extend their Line of Railway from *Royston* to *Shepresh,* and to make a Deviation of the authorized Line at *Hitchin.*

cxx. An Act to amend the Provisions of the *Newport and Pontypool* Railway Act, 1845.

cxxi. An Act to enable the *Caledonian* Railway Company to extend their Railway across the River *Clyde* at *Glasgow,* and to form a Station in that City.

cxxii. An Act for the Amendment and Continuation of the Burgh Customs, and Water, Shore, and Harbour Rates, of the Burgh of *Dunbar,* and for other Purposes connected with the said Burgh, and the Supply of Water to the same and the Harbour thereof.

cxxiii. An Act to provide for the Municipal and Police Government of the Burgh of *Leith,* and for other Purdoses relating thereto.

cxxiv. An Act for the better carrying on the Affairs of the Grand Canal Company.

cxxv. An Act for enabling the *London and South-western* Railway Company to effect certain Extensions and Deviations at *Godalming, Cosham, London Bridge, Southampton,* and *Poole,* and crtain Arrangements respecting Steam Packets; and for other Purposes.

cxxvi. An Act to enable the *Furness* Railway Company to raise a further Sum of Money, and to purchase Steam Vessels; and for the Amendment of the Acts relating to the said Company.

cxxvii. An Act to authorize certain Deviations in the Main Line of the *Stirling and Dunfermline* Railway, and for other Purposes.

cxxviii. An Act to enable the *Whitehaven and Furness Junction* Railway Company to deviate or extend their Line of Railway from *Silecroft* to *Foxfield,* and to abandon a Portion of their Line between *Silecroft* and *Ireleth;* to make Branches to *Whitehaven* Harbour; and for other Purposes.

cxxix. An Act to enable the *Dundee and Arbroath* Railway Company to make a Junction Line of Railway into the Royal Burgh of *Dundee.*

cxxx. An Act for enabling the *London and North-western* Railway Company to make a Branch Railway from the *Coventry and Nuneaton* Line in the Parish of *Exhall* to the *Craven* Colliery, and another Branch Railway from the same *Coventry and Nuneaton* Line at *Bedworth* to the *Mount Pleasant* Colliery, to construct a new Approach Road to the Station of the *London and North-western* Railway at *Tamworth,* and to enlarge the *Rugby* Station of the last-mentioned Railway, all in the County of *Warwick;* and for other Purposes.

cxxxi. An Act to enable the *Midland* Railway Company to construct a Railway from *Gloucester* to *Stonehouse,* and for other Purposes connected with the *Bristol and Gloucester* Line of the *Midland* Railway.

cxxxii. An Act to alter and amend the Acts relating to the *Newry and Enniskillen* Railway Company, and to enable them to make Arrangements with other Railway Companies.

cxxxiii. An Act to authorize an Alteration of the Line of the *Oxford, Worcester and Wolverhampton* Railway; and for other Purposes.

cxxxiv. An Act to amalgamate the *Monkland and Kirkintilloch, Ballochney,* and *Slamannan* Railways.

cxxxv. An Act for making a Railway from the *Great Western* Railway near *Slough* to the Town of *New Windsor* in the County of *Berks.*

cxxxvi. An Act for making an Alteration in the *New Cross* Station; and for amending the Powers and Provisions of the several Acts relating to the *London, Brighton, and South Coast* Railway.

cxxxvii. An Act to enable the Trustees of the *Worcester* Turnpike Road to make certain new Roads, and to improve and more effectually maintain the several Roads leading into and from the City of *Worcester.*

cxxxviii. An Act for establishing a Market and Fair in the Borough of *Avon* otherwise *Aberavon* in the County of *Glamorgan.*

cxxxix. An Act for the better regulating and improving the Port and Harbour of *New Ross* in the Counties of *Wexford* and *Kilkenny.*

cxl. An Act for better paving, lighting, watching, sewering, draining, cleansing, and otherwise improving the Town and Neighbourhood of *Huddersfield* in the West Riding of the County of *York,* for maintaining an efficient Police, and removing and preventing Nuisances and Annoyances therein.

cxli. An Act for the Improvement of the Borough of *Londonderry.*

cxlii. An Act for incorporating "The *West of England* and *South Wales* Land Draining Company;" and for enabling Owners of limited Interests in Land to charge the same for the Purposes of Drainage, Irrigation, Warping, Embankment, Reclamation, Inclosure, and Improvement.

cxliii. An Act to improve the River *Nene* and *Wisbech* River, and the Drainage of Lands discharging their Waters into the same.

cxliv. An Act to alter and amend the several Acts relating to the *Birkenhead* Commissioners Docks, and to transfer the several Powers of the said Commissioners to a Corporate Body to be entitled "The Trustees of the *Birkenhead* Docks;" and for other Purposes.

cxlv. An Act for continuing the Term of an Act passed in the Eighth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for more effectually repairing and maintaining the Road from* Hulme, *across the River* Irwell, *through* Salford, *to* Eccles, *in the County Palatine of* Lancaster, *and a Branch of Road communicating therewith,* so far as relates to the Road from *Hulme* to *Eccles,* for the Purpose of enabling the Trustees to pay off the Debt now due on the said Roads.

cxlvi. An Act for altering and amending an Act passed for maintaining the Road from *Crossford Bridge* to *Manchester,* and a Branch connected therewith.

cxlvii. An Act for more effectually repairing and maintaining the Road from *Richmond* to *Reeth* in the County of *York.*

cxlviii. An Act to enable the *Wishaw and Coltness* Railway Company to divert and improve certain portions of their Line.

cxlix. An Act to enable "The Timber Preserving Company" to purchase and work certain Letters Patent, and for confirming the same.

cl. An Act for draining, warping, and otherwise improving *Thorne Moor* in the West Riding of *Yorkshire.*

cli. An Act to authorize the Endowment and Consecration of a new Chapel at *Marlborough,* and the Annexation of the same to *Marlborough* College.

clii. An Act to amend the Act for the more easy Recovery of Small Debts and Demands within the City of *London* and the Liberties thereof.

cliii. An Act for the Establishment of the Farmers' Estate Society *Ireland.*

cliv. An Act to enable the *Dundee and Perth* Railway Company to take a Lease of the Undertaking of the *Dundee and Arbroath* Railway Company, and to amend the Acts relating to such Companies respectively.

clv. An Act for making a Railway from *Paisley* to *Barrhead,* with certain Branch Railways therewith connected, to be called "The *Paisley, Barrhead, and Hurlet* Railway."

clvi. An Act to make a Deviation in the authorized Line of the *Manchester, Buxton, Matlock, and Midlands Junction* Railway, together with a Branch to *Bakewell.*

clvii. An Act to amend the Acts relating to the *Exeter and Exmouth* Railway Company.

clviii. An Act to enable the *Great Western* Railway Company to construct a Loop Line from the *Birmingham and Oxford Junction* Railway through the Town of *Leamington;* and for other Purposes.

clix. An Act to confer additional Powers on the *Great Western* Railway Company with reference to an Agreement of the Twelfth of *November* 1846, for the Purchase by them of the *Birmingham and Oxford Junction* and *Birmingham, Wolverhampton, and Dudley* Railways.

clx. An Act to enable the *Edinburgh and Glasgow* Railway Company to hold Shares in the *Edinburgh and Bathgate* Railway Company; and for other Purposes.

clxi. An Act for the more effectually paving, lighting, watching, draining, cleansing, and otherwise improving the Town and Neighbourhood of *Walsall* in the County of *Stafford,* for improving the Markets, and for the better assessing the Poor's Rates, Highway Rates, Church Rates, and other Local Rates within the Parish of *Walsall* in the said County.

clxii. An Act for granting further Powers to the *Clerkenwell* Improvement Commissioners for the Purpose of enabling them to complete the new Street and the Improvements connected therewith.

clxiii. An Act to provide for the Sanatory Improvement of the City of *London* and the Liberties thereof, and for the better cleansing, sewering, paving, and lighting the same.

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. AN Act to authorize the feuing of the Glebe Lands of the Parish of *Govan* in the County of *Lanark.*
2. An Act for authorizing the Trustees of the Will of the late *Calmady Pollexfen Hamlyn* Esquire, under the Direction of the Court of Chancery, to pull down the Mansion or Dwelling House at *Paschoe* in the County of *Devon,* Part of the Estates devised by the same Will, and to rebuild the same, and to raise Money for those Purposes by Mortgage of the said Estates; and for making Provision for the Payment of the Principal Monies so raised; and for other Purposes.
3. An Act for confirming an Exchange of certain Lands in the Parish of *Wilton* in the County of *Somerset,* heretofore Part of the Augmentation of the Perpetual Curacy of *Hill Bishops* otherwise *Bishops Hull* in the same County, for certain Lands in the Parish of *Staplegrove* in the same County, and for other Purposes.
4. An Act to authorize the Sale to the Right Honourable *George Harry* Earl of *Stamford and Warrington* of certain Freehold and Leasehold Hereditaments in the County of *Salop* devised by the Will of *Polly Hale* Widow, deceased, and for directing the Investment of the Purchase Money in other Hereditaments, to be settled in like Manner.
5. An Act to authorize Grants in Fee and Leases for long Terms of Years, for Building Purposes, of the devised Estate of *John Newton* Esquire, deceased, situate at *Gorton* in the Parish of *Manchester* in the County of *Lancaster.*
6. An Act for enabling Sales, Leases, and Mortgages to be made of certain Estates in the County of *York,* heretofore belonging to *John Fullerton.*
7. An Act to enable the Trustees of the Will of *Edward Jessop* the elder to sell the Estates devised by such Will, and to lay out the Money to arise therefrom in the Purchase of other Estates under the Direction of the Court of Chancery.
8. An Act for enabling Leases and Sales to be made of an Estate at *Horton* in the Parish of *Bradford* in the County of *York,* holden upon the Trusts of the Will of *Jacob Hudson,* deceased.
9. An Act to enable Sir *William Miller* of *Glenlee* and *Barskimming,* Baronet, Heir of Entail in possession of the Lands and Estates of *Glenlee, Barskimming,* and others, lying in the Stewartry of *Kirkcudbright* and County of *Ayr,* to exchange certain Portions of the said Estates, and to sell certain Parts thereof, for the Payment and Extinction of the Debts, Obligations, and Burdens affecting the same.
10. An Act for incorporating the Governors and Trustees of the united Charities of *Nathaniel Waterhouse,* appointed by virtue of an Act passed in the Seventeenth Year of the Reign of King *George* the Third, intituled *An Act for uniting and better regulating the Charities of* Nathaniel Waterhouse *within the Town and Parish of* Halifax *in the West Riding of the County of* York; and amending the Powers and Provisions of the said Act, and granting other Powers and Provisions enabling the Governors and Trustees of the said united Charities, when incorporated, to sell and to convey Parts of the Lands of the Charity Estates, make Exchanges of the Lands of the said Estates for other Lands, lease Mines, fell Timber, and effect Improvements; and for regulating the Application of the Revenues, Rents, and Income of the said Estates, and enlarging the charitable Uses of the said Charities; and for other Purposes concerning the same.
11. An Act to provide for the better Administration of certain Charities in the Parish of *Sandbach* in the County of *Chester,* and the Distribution of the Income thereof, and for vesting the Estates and Property belonging to the Charities in new Trustees, and to enable the Trustees to grant Leases of the Charity Estates; and for other Purposes.
12. An Act to alter and amend an Act passed in the Eighth and Ninth Years of the Reign of Her present Majesty, for enabling the Trustees of the Will of *Francis* late Duke of *Bridgewater* to carry into execution certain Articles of Agreement entered into by them with the Right Honourable *Francis Egerton* now Earl of *Ellesmere.*
13. An Act for the Sale of the Glebe Lands belonging to the Rectory of *Woolwich* and the Parish Church of *Saint Mary Woolwich* in the County of *Kent,* and to confirm the Building Leases of such Lands, and for Endowment of a new Ecclesiastical District; and for other Purposes.
14. An Act for extending certain Powers of an Act passed in the Eighth Year of the Reign of Her present Majesty, intituled *An Act for enlarging the Powers contained in the Will of Sir*

John Ramsden *Baronet, deceased, to grant Leases of the Hereditaments in the Townships of* Huddersfield, Honley, Dalton, *and* Almondbury *devised by such Will, and for other Purposes,* to the Hereditaments in the Parishes of *Almondbury, Kirkeaton,* and *Huddersfield* comprised in the Settlement made on the Marriage of *John Charles Ramsden* Esquire, deceased; and for other Purposes.

15. An Act to authorize the granting of Building Leases for Ninety-nine Years of Parts of the Trust Estates of the Will of the late *Charles Robert Blundell* Esquire, situate in the Parishes of *Sefton, Walton on the Hill,* and *North Meols* in the County of *Lancaster,* and to lease Waste Lands and Coal and other Mines, and to exchange certain detached and intermixed Lands, other Parts of the said Trust Estates.
16. An Act for granting Building and other Improvement Leases of the Settled Estates of the Right Honourable *George Augustus Frederick Charles* Earl of *Sheffield,* situate in the Parishes of *Newhaven* and *Bishopstone* in the County of *Sussex.*
17. An Act to amend a Settlement made by the Most Honourable the Marquess and Marchioness of *Londonderry* and the Honourable Viscount *Seaham;* and for other Purposes therein mentioned.
18. An Act for compromising certain Suits and Claims affecting Parts of the Estates of the late Marquess of *Antrim,* and for settling certain Lands intermixed with Parts of such Estates.
19. An Act for vesting the Two undivided Sixth Shares of *Christopher Alderson,* a Lunatic, and *Mary Alderson* Spinster, a Person of unsound Mind, as Two of the six Children of *Christopher Alderson Alderson* deceased, in certain Freehold Estates in the Counties of *Middlesex, Hertford,* and *York,* in Trustees, in whom the other Four undivided Sixth Shares are now vested, upon trust for Sale.
20. An Act to alter and amend certain Powers of leasing contained in the last Will and Testament of the late Most Honourable *John Crichton Stuart* Marquess of *Bute* and Earl of *Dumfries* deceased.
21. An Act for altering an Act made and passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her present Majesty Queen *Victoria,* for enabling the Master and Brethren of the Hospital of *Saint Mary the Virgin* within the Borough of *Newcastle-upon-Tyne* to grant Leases of their Estates; and for other Purposes.
22. An Act for the Relief of the Right Honourable *Richard* Earl of *Glengall,* in respect of his Estates in the Counties of *Waterford* and *Tipperary* in *Ireland,* and for vesting the same Estates in Trustees for effecting such Relief.

PRIVATE ACTS,

NOT PRINTED.

23. An Act for the Restitution in Blood of *William Constable Maxwell* Esquire.
24. An Act to dissolve the Marriage of *Edward Heneage* Esquire with *Charlotte Frances Ann Heneage* his now Wife, and to enable him to marry again; and for other Purposes.
25. An Act to dissolve the Marriage of *Robert Nicholson* Esquire with *Frances Nicholson* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.
26. An Act to dissolve the Marriage of the Reverend *Frederick Grueber Lugard* Clerk with *Grace Price Lugard* his now Wife, and to enable him to marry again; and for other Purposes.
27. An Act to dissolve the Marriage of *William Jervis,* a Captain in the Forty-second Regiment of *Bengal* Native Infantry, and Paymaster and Superintendent of Native Pensioners at *Barrackpore* in the Province of *Bengal* in the *East Indies,* with *Mary Amelia* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.

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TO

HANSARD'S PARLIAMENTARY DEBATES,

IN THE FIRST SESSION OF

THE FIFTEENTH PARLIAMENT OF THE UNITED KINGDOM,

11° & 12° VICTORIÆ,

1847-8.

EXPLANATION OF THE ABBREVIATIONS.

1*R.* 2*R.* 3*R.* First, Second, or Third Reading—*Amend.*, Amendment.—*Res.*, Resolution.—*Comm.*, Select Committee.—*Com.* Committed.—*Re-Com.*, Re-committed.—*Rep.*, Reported.—*Adj.*, Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause. — *neg.*, Negatived.— *l.*, Lords. — *c.*, Commons. — *m. q.*, Main Question.—*o. q.*, Original Question. —*o. m.*, Original Motion.— *p. q.*, Previous Question.— *r. p.*, Report Progress—*A.*, Ayes.— *N.*, Noes —*M.*, Majority.— 1*st Div.*, 2*nd Div.*, First or Second Division.

☞ *The * indicates that no Debate took place upon that stage of the Bill.*

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ERRATA.

Page 307, line 25, *for* Mr. H. Hobhouse *read* Mr. T. B. Hobhouse.
511 — 1, *for* Vesy, R. H. R. H. *read* Vyse, R. H. R. H.
642 — 12, *for* Mr. H. Currie *read* Mr. R. Currie.

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